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ABSTRACT

Violence-Prevention Outcomes in Civic Education (VOICE) is a curriculum program for elementary social studies that incorporates conflict resolution, law-related education, and service learning. These three elements are among those considered to have promise in addressing youth violence. The VOICE curriculum is designed to complement the traditional elementary grade social studies curriculum by helping students develop a deeper understanding of the United States Constitution and the three branches of government. Components of the curriculum include participatory teaching strategies, involvement of outside resource people, conflict resolution skill building, and a service project. The curriculum consists of 50 lessons in seven units of study that have a logical flow; each lesson has teacher directions and student materials for duplication. The units are: (1) "Working Together: Building a Good Foundation in Class"; (2) "Working It Out Together: Mediating Our Conflicts"; (3) "Working Together To Build a Government: Balancing Rights and Safety"; (4) "Working Together To Make Laws: The Legislative Branch"; (5) "Making the Laws Work: The Executive Branch"; (6) "Interpreting the Laws: The Judicial Branch"; and (7) "Taking Action Together: Service and Learning." The curriculum fulfills the government goals of fifth-grade social studies and supplements a typical fifth-grade U.S. history textbook. An appendix contains 6 different sample assessment tools. (BT)

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VOICE

Violence-Prevention Outcomes in Civic Education

A program for elementary social studies

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VOICE

Violence-Prevention Outcomes in Civic Education

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Introduction

You are about to use a most remarkable and carefully developed curriculum. VOICE is an innovative elementary grade social studies curriculum that incorporates conflict resolution, law-related education, and service learning. These three elements are among those considered to have promise in addressing youth violence. VOICE complements the traditional elementary grade social studies curriculum by helping students develop a deeper understanding of the U.S. Constitution and the three branches of government. Participatory teaching strategies, involvement of outside resource people, conflict resolution skill building and a service project are all components.

VOICE was created to assist youth to develop the knowledge, skills, and dispositions that will enable them to become fully prepared adults. VOICE strives to reduce and prevent violence among youth. It employs a youth development model that addresses problems of youth by helping promote their growth and development. Effective youth development programs ask and encourage youth to set goals, help build competencies, and push youth to contribute to their own growth and to that of others. Effective youth development programs grow out of an environment that includes sustained interaction with caring adults, relevant learning activities, and legitimate opportunities for young people to contribute directly to the welfare of others. The youth development model relates clearly to what is already known about the positive effects of exemplary law-related education.

Each of the components of law-related education that link to research on reducing violence through youth development are well-represented in VOICE. These components include:

1. *The positive relationships which develop as a result of the involvement of outside resource people.* They can provide positive role-models with whom young people can identify and an affirmation/recognition of the contributions young people make.

2. *The development of good problem solving skills.* Law-Related Education (LRE) presents a series of problems, to which there are not easy answers, and forces students to generate and evaluate a variety of solutions. There are expectations that all students can increase their problem solving skills.

3. *The active participation of all students.* The participatory activities provide students with a sense of purpose and power, hope in the future, and opportunities to work collaboratively to develop a sense of belonging to socially acceptable groups.

4. *A clear and consistent message that violence is not the norm.* The civic/law-related

content provides a variety of non-violent models to resolve conflict.

5. *Knowledge about how the legal system actually works.* Law-related education provides knowledge about our legal and political systems and the fundamental principles and values on which our constitutional democracy is based.

VOICE was developed over a three year period from 1995-1998. The Constitutional Rights Foundation Chicago and the American Bar Association, Division for Public Education led the development effort. Three annual cycles of writing, evaluation, and revision have produced the current version of VOICE. Teachers in the Chicago Public Schools and the Illinois District U-46 Public Schools taught the lessons, evaluated them, and suggested revisions. The many hours given generously by these teachers have been instrumental in the success of this curriculum. Extensive evaluation by independent evaluators each year contributed to both the improvement of the curriculum and the documentation of its success. The evaluators found that students studying VOICE:

- learned three times more about the U.S. Constitution and government than control classes;
- substantially improved Iowa Test of Basic Skills scores;
- had fewer problems with discipline and fighting;
- had a better understanding of how to help others solve problems and successfully engage in projects to address problems in their schools; and
- were more aware of their rights and the rights of others.

VOICE consists of fifty lessons in seven units. Each lesson has teacher directions and student materials for duplication. The framework and outcomes of VOICE are detailed in the pages that follow. The units flow logically with the first introducing the need for rules and laws and the second a mediation process to resolve conflicts. Other units deal with balancing rights and safety; the legislative, executive and judicial branches of government; and service learning. This curriculum fulfills the government goals of fifth grade social studies and supplements a typical fifth grade American history textbook. The blending of VOICE with an elementary social studies American history textbook provides a powerful intervention that contributes to students mastering content and reducing violence.

The lessons are designed to engage students and to be a joy to teach. We hope you enjoy VOICE.

Suggestions for Effective Use of VOICE

VOICE includes a unique combination of lessons and experiences. Each element contributes in its own way to the success VOICE has with students. These elements are not complex, but effective use of them does require some thoughtful planning. Below are some tips to assist you in making effective use of the various elements of VOICE.

Activities That Challenge and Involve Students

When students are actively involved in constructing meaning from their own experiences, they develop a more complex understanding of the content they are studying. Each VOICE lesson contains an activity. Many cause students to apply the information or skill they just learned; others present situations that require students to problem-solve. There are a number of lessons that cause students to learn ways to resolve disputes, including in peer mediation. Each activity is carefully explained and all necessary materials to complete the lesson are provided. Students in the pilot classes regularly commented on how interesting the lessons were. And the evaluation results showed they learned. We encourage you to use as many of the VOICE lessons and activities as you can. You will be pleasantly surprised.

Outside Resource Person

An outside resource person is an expert from the legal community who contributes his/her experience and knowledge to your class. Lessons that include outside resource persons contain clear directions about their role. There are a variety of individuals you could include. Here's a partial list: police, lawyer, judge, public defender, state attorney, local legislator, immigrant and school administrator. Sources for attorneys can be your local Law Day Committee, the public relations committee of a local bar, law firms, lawyers you have hired or other teachers in your school, and a lawyer who works for your school district. Many school board members are lawyers also.

You will need to initiate the contact with the outside resource person. After you have identified one, you should contact them before their visit and explain the educational goal you are achieving through their visit to your class. It is helpful for students to make simple name tents from cardboard so the outside resource person can call them by name. Students can also write questions on their name tents for the outside resource person to answer on a subsequent visit.

Field Experience

Students can learn a great deal from a field experience. Possible field experiences that complement VOICE are a trip to a court, police station, city council meeting, and visit to a law firm. An especially interesting court for students to visit is a pro se court. Students

can see an entire case dealt with in a short visit and the cases are often very interesting.

Journal Entries

Some lessons call for students to make journal entries. Some pilot test teachers have found that regular journal entries are helpful in understanding student progress in VOICE. Journal writing permits students to record their reactions and feelings to class events. Several classes invited their lawyer outside resource person to read student journals and write comments back to the students. This was very effective.

Service Project

The service project provides an opportunity for students to take action and improve their school or community. It is important that you plan for the service project throughout the school year. The service project is described in UNIT VII, the last unit, but do not wait until the end of the school year to have students begin to plan their project. You will run out of time if you do. And students need time to reflect and consider carefully the project they want to do. The project can actually be performed towards the end of the school year.

It is important that the project be selected by students. You need to guide them by providing options once they have identified a general type of project they want to do. The project needs to be manageable. Sometimes students will want to take on a project that is just too complex. The project needs to be completed in a relatively short time. Students may also suggest a project that involves some physical danger to them.

Some projects that students have undertaken are:

- a puppet show that teaches younger students about mediation;
- a clean-up project in a local park;
- a playground improvement project, such as painting a jungle gym; and
- creating a mural for the school building that teaches other students about alternative conflict resolution strategies.

Assessment

In the appendix of VOICE, a variety of tools have been provided to assist you in assessing student performance. Some forms are also provided that allow students to evaluate themselves and other students. Use these assessment tools to the extent that they are helpful to you.

Framework and Outcomes

VOICE incorporates conflict resolution, law-related education and service learning—three prevention strategies among those considered to have promise in addressing youth violence—into an elementary social studies program designed to help students develop a deeper understanding of the U.S. Constitution and the three branches of government. The curriculum emphasizes participatory teaching strategies, the involvement of outside resource people, conflict resolution skill building, and a service project. VOICE has knowledge, skill, belief, and action dimensions as well. These dimensions of VOICE are described in the following chart and list of outcomes.

FRAMEWORK

	Conflict Resolution	*Law-Related Education Content and Methodology*	*Service Learning*
Knowledge	Understanding of alternatives to violence	Understanding of law, history, and government	Participation in democratic society
Skills	Individual mediation and negotiation skills	Problem solving and analytical skills and group participation skills	Problem solving and analytical skills and group participation skills
Beliefs	Commitment to alternatives to violence	Confidence in institutions and the people who are part of institutions	Belief in ability to make a difference
Actions	Use of mediation & negotiation in resolving conflicts	Use of formal, institutional means of resolving conflict (classroom & school processes as well as other government procedures)	Responsible personal conduct & community participation

OUTCOMES

I. KNOWLEDGE–Civic Perspective

A. Functions of Government–Students will identify the functions, and assess the effectiveness, of their national and local governments, and our society based on the rule of law.

B. Ideals of American Democracy–Students will explain the meaning of core democratic values expressed in the Constitution of the United States, and describe political and legal processes created to resolve conflicts involving core democratic values.

C. Legal Processes–Students will identify the role of the adversarial system and alternative dispute resolution for resolving conflicts.

II. SKILLS

A. Inquiry

1. Conducting Investigation. Students, individually & cooperatively, will conduct investigations by formulating a clear statement of a question, gathering and organizing information from a variety of sources, analyzing and interpreting information, formulating and testing hypotheses, reporting results both orally and in writing.

2. Identifying and Analyzing Issues. Students will state an issue clearly as a question of public policy, analyze various perspectives on the issue, and evaluate possible ways to resolve the issue.

B. Public Discourse

1. Discussion. Students will engage their peers in constructive conversation about a matter of public concern by clarifying issues, considering opposing views, applying democratic values, anticipating consequences, and working toward making decisions.

2. Persuasive Communication. Students will express a position on a public issue and justify the position with reasoned arguments.

C. Decision-Making and Problem Solving

1. Resolving Conflicts Peacefully. Students will understand that government is not the only means to resolve conflict. Students will be prepared to resolve conflict individually and will be able to use conflict mediation and negotiation.

2. Collective Participation. Students will identify the benefits of, and participate in, collective action for communities.

III. BELIEFS

A. Civic Perspective. Students will understand that:

1. U.S. democracy has a positive role to play in helping people live together peacefully.
2. They have an important role to play in the U.S. democratic system because the system is only as good as its citizens.
3. They have a shared responsibility for making the system work for all.
4. Our system is dynamic and can improve.
5. Conflict is a normal part of life and can be resolved peacefully.
6. Making good choices means considering individual good and public good.

B. Public Discourse, Inquiry, and Decision-Making. Students will understand that:

1. Exchanging ideas with others can help them make better decisions.
2. It is good to be curious and explore ideas.
3. Working cooperatively will often help reach a better result.
4. Learning can be, but is not always, fun.
5. Information is important in making a wise decision.

C. Citizen Involvement. Students will understand that:

1. It is important to help others, even if they are different.
2. Everyone should treat others with respect, even if they are different than you are.
3. People can resolve conflict nonviolently.

IV. ACTIONS–Citizen Involvement

A. Responsible Personal Conduct—Students will consider the effects of their actions on other people, act in accordance with the rule of law, and meet their ethical obligations as members of society.

B. Community Participation. Students, individually & cooperatively, will participate in their communities by formulating and carrying out constructive responses to social problems which promote the common good.

(Developed in 1995 & refined in 1997 involving Chicago Public Schools: Addams, Haugan, Murray, Parker, & Sawyer and Illinois District U-46 Public Schools: Clinton, Channing, Glenbrook, Hillcrest, & Laurel Hill)

Note: The knowledge and skills in this document were adapted from the Michigan Framework for Social Studies Education, Draft 10, April 1995.

Unit I

Working Together:
Building a Good Foundation in Class

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Unit I
Working Together:
Building a Good Foundation in Class

Introduction

This unit will engage students in thinking about the characteristics of a good classroom, developing and evaluating rules to create that classroom, and establishing consequences for not following the rules. They will elect a Class Director to assign classroom jobs and they will discuss factors that influence voters. The activities prepare students for reflection on the goals of the United States set forth in the Preamble to the Constitution and on how our government was designed to achieve these goals (the separation of powers and the branches of government). This unit introduces the use of cooperative group work, which is an integral part of rule- and law-making. The cooperative work is highly structured to help students learn this skill.

You should be aware of the need for openness and honesty with students. If you have certain basic rules that must be followed, share them with students before beginning the unit. You may also want to discuss the power to "veto" a rule, just as a president may veto a bill. In the development of the unit and of the classroom rules, students will have opportunity to use and reflect on these teacher-made rules and to incorporate them in the general class rules.

Objectives

Students will:

- identify some purposes of government in classroom rules
- delineate classroom and individual privileges and responsibilities
- use criteria to evaluate rules
- develop and evaluate classroom rules
- discuss and develop consequences for breaking classroom rules
- engage each other in conversations (speaking and listening) about issues pertaining to governing their classroom and school
- discuss, conduct, and reflect on class elections
- poll voters about their views

Resources

Student Handouts

Student Handout 1-1 — Characteristics of a Good Class
Student Handout 1-2 — Evaluating Rules
Student Handout 1-3 — No Vehicles in the Park
Student Handout 1-4 — Issues Interview
Student Handout 1-5 — TV Newscast Monitoring Report

Materials Needed

How Did I Do in My Group? (A-3)
How Did We Do as a Group? (A-2)
Special Event Form (A-6)
Class Discussion Self-Assessment Form (A-4)
Chart paper/newsprint and markers
masking tape or tacks
Student composition books for personal journals
Sentence strips or poster paper
Cooperative Learning Individual Assessment Form (A-1)

Suggested Resource Persons

Attorney(s)
Media representative

Lesson One: What Is a Good Classroom?

Objective

Students will identify the characteristics of a good classroom.

Resources

Student Handout 1-1 — Characteristics of a Good Class
Chart paper or newsprint for drawing
Student Journals

Procedures

1. Have the class try to identify the characteristics of a good classroom. Provide students with the sample list on **Student Handout 1-1** and discuss why each statement might be important. Ask students if there are any other characteristics that should be added to the list. You may wish to give an example such as: in a good class, everyone is trustworthy. Try to limit them to a total of no more than ten.

2. In pairs have students, using their experiences, think of an example which illustrates each one of the characteristics. One student in each pair should jot down the examples. The other student can act as the reporter. Once they have finished, have group reporters share their thoughts with the whole class. Try to give as many pairs as possible an opportunity to respond. As the pairs share their ideas, ask the students to raise their hands if they, too, thought of that or a similar example.

3. Have students draw a world without rules. Could they achieve a good classroom without rules? What would this class look like? Would it be better or worse than a world with rules?

4. For homework, have the class take a copy of the agreed-upon list of characteristics and assign them to write at least five rules that they know the school already has or that they think the class ought to have to help make their class a good class. For example, have students look at the example in step 1 (in a good class, everyone is trustworthy). A rule for this characteristic could be: Students will not use the property of others without permission.

Lesson Two: Rules to Help Make a Good Classroom

Objective

Students will develop and evaluate classroom rules.

Teacher Background

The rules students develop will probably not change much from year to year. Every class, however, needs to experience the thought process involved in this activity. Students need to understand and support the rules and feel as if they have some power in their creation and enforcement.

Resources

Student Handout 1-1 — Characteristics of a Good Class
Student Handout 1-2 — Evaluating Rules
Chart paper or newsprint
Student Journals
How Did I Do in My Group? (A-3)
How Did We Do as a Group? (A-2)
Cooperative Learning Individual Assessment Form (A-1)

Procedures

1. Assign students to groups of 3 to 4, giving each group a piece of chart paper or newsprint and a marker. Each group should have a leader (responsible for encouraging everyone to participate), a recorder (responsible for writing down all the rules), a reporter (responsible for telling the class about the rules), and a checker/materials manager (responsible for making sure there are no duplicates; making sure that the rules are clear; being responsible for any paper work). Have the group decide who will do what or assign roles by number (this may depend on previous group work experience). Make sure the students understand their roles and understand that they all should have a chance to speak and listen.

Note: The student assessment forms How Did I Do in My Group? and How Did We Do as a Group? in the Appendix can be used by students to assess their own group work for this or any other group activity. Teachers may wish to use the Cooperative Learning Individual Assessment Form to assess students' group work.

2. Have students take out **Student Handout 1-1** (Characteristics of a Good Class). Each group should list the rules they think would help make the "good classroom" statements a reality and be able to explain why they think each rule is a good rule. To begin the activity, it might be helpful to have all students in the group read the list they prepared as homework. They may then prioritize the rules they feel are most important and eliminate any duplicates. Once groups have agreed on at least five rules, the checkers can post the lists around the room. Each reporter can read the group's list. The whole class should then work to consolidate the rules.

3. Using one complete list, introduce the "Evaluating Rules" check sheet (**Student Handout 1-2**). Help students to understand the check sheet by demonstrating its use on a sample rule. Assign each group to discuss one or two of the rules using the check sheet.

4. Have each group report on what, if any, changes to make. Try to reach a consensus and, if necessary, vote to see if a rule is acceptable. Once the process is complete for all of the rules, ask students, "as a class, can we live with these rules?" Once rules are set, students should copy them into their journals.

5. Journal Writing Assignment: Ask the students to make a list of privileges and responsibilities they have for each of the rules as the first entry into their personal journals. For example:

Privileges	Responsibilities
I have the privilege to expect my property to be safe in school.	I have the responsibility not to take or destroy the property of others.

Note: At the end of each week or once a month as necessary, students should be asked to reflect in writing on their perceptions of whether the class rules worked. Why/why not? Answer the question: Did our class rules work this week? They may want to illustrate their writing. They should refer to the characteristics, the rules, and their own list of rights and responsibilities when they make a journal entry. You should review journals on a weekly basis and provide feedback to students. Problems presented may be useful as examples for Unit II (Working It Out Together: Mediating Our Conflicts) and for modifying rules and consequences.

Lesson Three: No Vehicles in the Park

Objectives

Students will:

- compare and contrast the "letter of the law" with the intent of the law by using critical thinking skills to evaluate hypothetical situations
- become aware of the difficulties involved in devising clear, fair laws; and
- understand the role of an attorney (to present the best argument for the side of a disagreement he/she represents).

Resources

Student Handout 1-2 — Evaluating Rules
Student Handout 1-3 — No Vehicles in the Park
Class Discussion Self-Assessment Form (Appendix)
Special Event Form (Appendix)
Attorney(s)

Procedures

Note: Each time attorneys come, have students make nameplates. At the end of the session, students may write a question for the attorneys on the nameplate. The attorneys can address the question during their next visit. The Special Event Form can be used to help students reflect on what they learned from a visiting resource person.

1. Introduce the volunteer attorney to the class. Have students explain the class rules to him or her, as well as the process for making and changing the rules. They should also present their drawings of a world without rules to the attorney. The attorney can comment on both the rules and the rulemaking and ask students about their thoughts.

2. Distribute **Student Handouts 1-2** and **1-3** (Evaluating Rules and No Vehicles in the Park) to students. Give them a few minutes to read the material and think about which exceptions they would grant. They should write "Yes" next to exceptions they would allow, and "No" next to those they would not.

3. Divide students into groups of 4-5. Ask each group to discuss their responses and try to reach a consensus. Then tell each group that it will be expected to give reasons for each answer. Each group should choose one or more spokespersons.

4. The groups will need about 10-15 minutes to arrive at their decisions. The attorney can circulate between the groups. Once you have checked to make sure that each group is functioning properly, draw a grid on the board. The grid should list the case numbers along one axis and the group numbers along the other.

5. Once groups have arrived at their answers, ask for each group's responses for each case, record them in the grid, and ask for their rationale. You may wish to add other examples (such as an electric wheelchair, skateboards, or motorbikes). By this time students probably have developed a definition of a vehicle. Compare their definitions to the dictionary definition.

6. Ask students whether the law can be redrafted to make it a better law. They should use **Student Handout 1-2** to help them evaluate the law and how it might be rewritten. Ask the following:
   A. Should laws be written in detail so that people can predict accurately what they mean?
   B. Should they be flexible so that they can be adapted to meet changing situations?
   C. Can they be both flexible and detailed?
   D. How should "emergency situations" be provided for in the law? Who should determine what constitutes an emergency?
   E. What is an appropriate penalty for violation of this law? Should that be included in the law?
   F. Who should enforce the law? Is there any remedy available to citizens if the enforcers of the law break it?

7. Point out how the decisions of the group reflect reasons based on:
   - the letter of the law,
   - what they thought the intent of the lawmakers actually was, and
   - their own values.

8. The attorney can react to students' interpretations and help the students develop arguments on both sides of each case.

9. Debrief students on the activity.

Note: The Class Discussion Self-Assessment Form in the Appendix can be used by students to reflect on this or any other class discussion. The Appendix's Special Event Form can help students reflect upon attorney visits, field experiences, or other special events.

Lesson Four: What Should Happen if Someone Breaks the Rules?

Objective

Students will develop consequences for breaking the classroom rules.

Resources

Student Handout 1-2 — Evaluating Rules

Procedures

1. Write the question "What Should Happen if Someone Breaks the Rules?" on the chalkboard. Have students brainstorm possible consequences of breaking a familiar school rule. Discuss and evaluate those consequences. Does the punishment fit the crime? Will it remind others not to break the rule? Will it protect others? Will it help a student not break the rule again? You may wish to compare the student-designed consequences with any existing school consequences. This should lead students to consider consequences for repeated offenses — first offense, second offense, third offense.

   You may have to remind students that when some rules are broken, the school may be bound by school district, city, or state policy and law. For example, the principal may be required to contact the police if a student possesses a weapon.

2. Select "Rules Committees" to begin to decide what should happen if the class rules are broken. Create a committee for each rule to suggest consequences for breaking the rule. (For example, five rules = five committees.) Groups should be numbered. Ask the students to select a chairperson for their group as well as a recorder, reporter and checker/material manager to see that work is completed and to help assess group work.

3. Everyone in the group is responsible for making sure each person's ideas are heard and understood. Review the characteristics of a good class and suggest that a good committee has those same characteristics. Everyone is responsible for making the committee work.

4. Have the committees make recommendations and, if appropriate, vote on selected consequences. Otherwise, save consequences for further review.

5. Arrange to have the characteristics of a good classroom, the classroom rules, and the consequences (if appropriate) prominently displayed in the classroom. The characteristics of a good class should remain posted throughout the school year. Feel free to modify, delete, and add to the classroom rules and consequences as necessary using the democratic process.

6. Review objectives and progress toward having a "good classroom." This may be a good time to have the students discuss their self-assessments so that strengths can be noted and weaknesses corrected during the course of the unit.

Lesson Five: Class Elections

Objective

Students will:

- develop a list of jobs in the classroom, qualities needed to perform these jobs, and criteria for electing the jobholders, and
- elect classmates to the positions they have developed.

Resources

Student Journals

Procedures

1. In every classroom, students are given responsibilities. If your class does not have elected officers, you may wish to consider having students elect a Class Director for each week or month. The Class Director would be responsible for appointing students to various "departments" and "cabinet posts" for the week. These might include such departments as: Department of Maintenance, Department of Materials, Department of Food, Department of Attendance, Post Office Department. These would depend on the classroom jobs you usually designate. Have students help you determine the list.

2. Once a list of positions is determined, have students discuss:

    - Do the candidates for the Director's job need to have certain qualifications, such as good grades, a good discipline record, a teacher's recommendation, good ideas, supervising experience (baby-sitting), or demonstrated responsibility (team member, paper route, etc.)?
    - Are there restrictions on who may vote, such as students with good grades, a good discipline record, or a teacher's recommendation?
    - Will there be term limits, such as a student may only hold the office of class director twice during the school year?

3. Have students brainstorm all of the things that might be part of this class election. You may need to ask probing questions to make sure students indicate a number of choices. These should be placed on the chalkboard. Responses might include personality of candidates, written statements describing the job, speeches, promises, ideas to improve the classroom.

4. Journal Writing Assignment: Have students write why they would or would not want to be the Class Director for the week.

5. Students who wish to apply for the position of Class Director for the Week or Month might read their journal entries out loud. The students can then vote for the first Director. This process can continue throughout the school year. You may wish to maintain a bulletin board where students may place their name in contention by writing a paper to be posted stating their reasons for wanting the position.

Lesson Six: Polling the Electorate

Objective

Students will learn what issues adults consider most important by conducting a poll.

Resources

Newspaper articles
Student Handout 1-4 — Issues Interview
Student Journals

Procedures

1. Review the students' list of election factors. Ask volunteers to respond to the journal questions from Lesson Five, Step Four. After completing the discussion, ask students to look at the list again. Are there any items that might be added to the list if it were about the national/state/local election candidates? You should ask probing questions that lead to responses of factors such as radio/television commercials, newspaper polls, debates, or newspaper articles about the issues the candidates are discussing. If there are no ongoing election campaigns, students can discuss issues without the context of an election.

2. Provide students with a list of issues that adults might be concerned about in our country. You may wish to save current newspapers for use in the classroom. Tell students to consider multiple points of view as they think about these issues.

3. Ask students to interview two people over the age of eighteen to respond to the poll on **Student Handout 1-4**. Students should ask the two adults which three issues will affect them most and why and then place an X in the column next to the issues the adults chose. Practice interviewing and completing the form in class. Students should be reminded to thank participants.

Lesson Seven: Polling Results

Objective

Students will tally their polls and track points of view on three issues.

Resources

Newspaper articles
Student Handout 1-5—TV Newscast Monitoring Report
Media Representative

Procedures

1. Assign students to groups of 4-5. Have students in each group tally poll results and place them on chalkboard or large paper. Once all groups have recorded their responses, have students add the number of participants and figure the percentage for each issue.

Note: As the election nears or issues develop, you may wish to rephrase or clarify the issues depending on media attention. Issues selected should be appropriate for the grade level. Encourage students to consider multiple points of view as they think about these issues.

2. Design a chart (see example below) and place the three issues with the most responses on it. List the major presidential candidates' names. If an election is not upcoming, use the President and a leader of the non-Presidential party as examples.

TOP 3 ISSUES	Democrats	Republicans	Other
Issue 1			
Issue 2			
Issue 3			

Note: If there is no election at this time, students might keep track of what the political parties are saying. Have the issues changed? Are promises from the most recent campaign being kept?

3. Using collected newspapers, have groups of students find and record opinions of the candidates on the issues, paying attention to differing perspectives on the issues. Assign groups to a particular issue or candidate.

4. Have groups continue to monitor the newspapers for various opinion polls to see who the pollsters think is ahead and by what percentage. Students might want to develop an election scrapbook.

5. As homework, have students monitor one half-hour national news broadcast on television and complete **Student Handout 1-5** (Television Newscast Monitoring Report). You may wish to tape programs so that all students will have an opportunity to view the candidates or party leaders.

6. You may wish to invite a local media representative to react to the students' Newscast Monitoring Reports.

Lesson Eight: The Voter

Objective

Students will discuss what influences the voter.

Resources

Election Bulletin Board

Procedures

1. Review the positions of the candidates on the major issues. Hold a mock election in the classroom. The class may want to volunteer to hold an election for the sixth through eighth grade students.

2. After results are tallied, have students determine what influenced their vote the most. Candidates' stand on issues? Personality? Speeches? Commercials? Other factors?

3. The class should be encouraged to bring in articles, polls, and information for a class bulletin board. Groups could be responsible for updating the bulletin board until the election is completed. A learning center could easily be developed using an "Election Central" theme.

4. If class or school government elections have taken place, students may wish to compare and contrast the elections.

5. Ask students:
   - How accurate were the poll-takers?
   - Would you like to work as a volunteer in a future presidential election?
   - Why or why not?

6. Students might be assigned to the three major issues and continue to monitor what happens throughout the school year.

Characteristics of a Good Class

1. We resolve conflicts peacefully

2. Everyone is learning

3. Learning can be fun

4. Everyone helps each other

5. Everyone treats others with respect

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Evaluating Rules

1. Are the rules
   - fair?
   - easy to understand?
   - well designed to achieve their purposes?
   - clear as to what is expected?
   - possible to follow?
   - in conflict with other rules?
   - in conflict with other important values?
   - easy to enforce?
2. Should the rules be
   - kept as is?
   - eliminated?
   - changed?
   - why?

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NO VEHICLES IN THE PARK

The town of Beautifica has established a lovely park in the city. The city council wished to preserve some elements of nature, undisturbed by city noise, traffic, pollution, and crowding. It is a place where citizens can go and find grass, trees, flowers, and quiet. In addition, there are playgrounds and picnic areas. At all entrances to the park the following sign has been posted:

"NO VEHICLES IN THE PARK"

The law seems clear, but some disputes have arisen over the interpretation of the law. Interpret the law in the following cases, keeping in mind the letter of the law as well as the intent of the law.

1. John Smith lives on one side of the town and works on the other side. He will save ten minutes if he drives through the park.

2. There are many trash barrels in the park so that people may deposit their litter, thereby keeping the park clean. The sanitation department wants to go in to collect the trash.

3. Two police cars are chasing a suspected bank robber. If one cuts through the park, he can get in front of the suspect's car and trap him between the patrol cars.

4. An ambulance has a dying car accident victim in it and is racing to the hospital. The shortest route is through the park.

5. Some of the children who visit the park want to ride their bicycles there.

6. Mrs. Thomas wants to take her baby to the park in his baby buggy.

7. A monument to the town's citizens who died in a war is being constructed. A tank, donated by the government, is to be placed beside the monument.

From Working Together: We the People *©1992 Constitutional Rights Foundation Chicago. Adapted from an activity developed by Arlene Gallagher and Leigh Taylor. First published in an article, "Premises for Law," by Arlene Gallagher, in* Social Education *(Vol. 39, No. 3).*

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Student Handout 1-4

Issues Interview

Interviewee 1 Registered Voter? Y N

Please check the three most important issues:

ISSUE	√	WHY IMPORTANT
Health Care		
Education		
Crime		
Economic Conditions-Employment/Jobs		
Foreign Affairs (involvement with other countries)		
Ecology/Environment		
Budget/Government Spending		
Other:		

Interviewee 2 Registered Voter? Y N

Please check the three most important issues:

ISSUE	√	WHY IMPORTANT
Health Care		
Education		
Crime		
Economic Conditions-Employment/Jobs		
Foreign Affairs (involvement with other countries)		
Ecology/Environment		
Budget/Government Spending		
Other:		

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TV Newscast Monitoring Report

News Program/Channel_____

Date/Time/Length of Program _____

Check all items covered:

_____Candidate's or political party's view on issues
_____Results of public opinion polls
_____News item about the candidate or political party
_____News item about the campaign or a particular issue
_____View of the newscaster about a candidate/leader
_____View of the newscaster about one of the issues
_____View(s) which disagree with the candidate or party

What was the news show about? _____

_____

What did you learn? _____

_____

_____

What did you agree with? _____

_____

_____

What did you disagree with? _____

_____

_____

What question would you like to ask about the newscast? _____

_____

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Unit II

Working It Out Together: Mediating Our Conflicts

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Unit II
Working It Out Together:
Mediating Our Conflicts

Introduction

Students will use a five-step process to learn how to mediate. They will practice by using examples from the classroom, school, and community. The unit is designed to help students resolve conflict without the need for more formal court proceedings. Court procedures are often costly and time-consuming. They also assume that one person will win, the other lose. Although not all conflicts are amenable to mediation, the process creates win-win solutions where possible. Ultimately, students should learn how to negotiate — without depending on a neutral third party. However, mediation will give them a solid basis on which to build.

Objectives

Students will:

- recognize that conflict is a normal part of life
- recognize that conflicts can be solved without violence or government intervention
- understand the meaning of key concepts and roles related to mediation
- learn and apply a five-step conflict mediation process to hypothetical, classroom, and historical conflicts

Many of the ideas and processes in this unit are based upon Creating the Peaceable School. *Thanks to Donna Crawford, Richard Bodine, and Fred Schrumpf for their help.*

Resources

Student Handouts

Student Handout 2-1 — Mediation
Student Handout 2-2 — Steps in the Mediation Process
Student Handout 2-3 —Sample Mediation
Student Handout 2-4 —Worth a Hill of Beans? A Practice Mediation
Student Handout 2-5 — Historical Scenario: Mediating the American Revolution
Student Handout 2-6 — To Mediate or Not to Mediate?

Materials Needed

How Was Our Mediation? (Appendix)
Our Mediation
Mediation Simulations
Teacher-Prepared Charts — Class Rules and Steps in the Mediation Process
Chart Paper/Newsprint
Student Journals

Lesson One: What Is Mediation?

Objective

Students will become familiar with the ground rules and roles for the mediation process.

Resources

Student Handout 2-1 — Mediation
Chart paper/newsprint

Procedures

1. Review posted class rules. Explain that the reason we have rules is to reduce (or manage) conflict. Explain that a **conflict** is a disagreement between two or more people. Conflicts are a normal part of life that people deal with every day. Conflicts exist at school, at work, at home, in the community, and in the government. Discuss with students what they think causes conflict.

2. Students should be made aware of the unit objectives. Tell students that there are several ways of managing or resolving conflict. These include asking a parent, teacher, or police officer for help, or taking an issue to court. In this unit, they will learn about mediation, another way to resolve conflict. **Mediation** is when a neutral person or people help two sides of a conflict (the **disputants**) resolve their problem peacefully. Conflict mediation requires **mediators** — trained people who are not a part of the conflict — who will help the **disputants** (the people in conflict) solve their conflict themselves. **Peer mediation** is when a student mediates a dispute between other students. Ask pupils if they can give an example of a student helping others resolve a conflict.

3. Have students read **Student Handout 2-1** (Mediation) and go over the roles of the mediator and disputants. Check for understanding before proceeding.

4. Next, either as a class or in small groups, ask students what kinds of conflicts they think are appropriate for mediation. Give examples to get them started, such as arguments over who gets to use art supplies or who gets in line first. Encourage them to move to conflicts outside the classroom, such as conflicts between Native Americans and colonists over land use.

5. Once students have had an opportunity to share examples, tell them that they will enact a mediation in class in the next lesson.

Lesson Two: Learning the Steps

Objective

Students will learn and practice the Five-Step Mediation Process, using a scripted sample mediation.

Resources

Student Handout 2-1 — Mediation
Student Handout 2-2 — Steps in the Mediation Process
Student Handout 2-3 — Sample Mediation

Procedures

1. Check for understanding by reviewing **Student Handout 2-1** with students and explain that they are now ready to look at one of the ways to mediate conflict.

2. Post the steps in the mediation process on chart paper and explain briefly what happens at each step (**Student Handout 2-2**).

3. Select three student volunteers to perform the sample mediation (**Student Handout 2-3**). The role of Manjit should be performed by a student willing to pretend they have an English accent. The rest of the students should act as observers using their copies of **Student Handouts 2-1** and **2-2.**

4. Discuss with all students the need for mediators to:
   - state the problem,
   - summarize what disputants have to say, and
   - clarify for understanding.

   Let them know that both disputants and mediators should:
   - face the speaker,
   - establish and keep eye contact with the speaker,
   - take turns and not interrupt, and
   - be alert and attentive.

5. After the sample mediation is completed, check for student understanding of the steps and roles. Ask students:
   - What was the role of the mediator?
   - How were the disputants able to come to a solution?
   - Did the solution meet the needs of both disputants? Did both sides win?

   Encourage students to ask questions regarding the steps in the mediation process and the role of the mediator.

Lesson Three: Worth a Hill of Beans? A Practice Mediation

Objectives

Using a partially scripted mediation, students will continue to master the mediation process. They will brainstorm and evaluate options in order to create a win-win plan of action.

Resources

Student Handout 2-1 — Mediation
Student Handout 2-2 — Steps in the Mediation Process
Student Handout 2-4 — Worth a Hill of Beans? A Practice Mediation
Our Mediation

Procedures

1. Explain to students that today they will all participate in a mediation session. Have students briefly review the roles in **Student Handout 2-1** and the steps in **Student Handout 2-2.**

2. Divide students into groups of four and assign the roles in **Student Handout 2-4** (Worth a Hill of Beans?). Explain to them that only the first two steps of the mediation are scripted. The mediation will be completed in a class discussion.

3. Have students role play the script. Then stop them at the end of the script and check for student understanding of the roles and process. Then, as a class, generate options for how Jackie and Mr. Biggs could solve their problem. They should then return to their groups to evaluate the options and reach an agreement, using the Our Mediation form. This form should also be used for later mediations.

4. Discuss with the class the options they generated, and how they reached an agreement. If any groups were unable to reach an agreement, find out why. Be sure students understand that mediation is not always successful. Check to see if students have any new questions about the mediation process. Make certain that students understand the process adequately.

5. Journal Writing Assignment: Have students write an ending to the Jackie and Mr. Biggs mediation.

Our Mediation

This form will help you through the steps of mediation. Fill out the form as a group. You may use additional paper if you run out of space.

Step 1: Agreeing to Mediate

Step 2: What Is the Problem?

This is the problem between the disputants: _____

_____

_____

Step 3: Generating Options

These are the options we thought of: _____

_____

_____

_____

Step 4: Evaluating Choices

These are the Pros (good parts) and Cons (problems) for our options:

Plan	Pros	Cons

Step 5: Reaching An Agreement

Write your agreement on the back of this page. All participants in the mediation should sign the agreement.

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Lesson Four: Mediation Simulations

Objective

Students will
- practice using the mediation process and
- evaluate the effectiveness of both their solutions and the participants.

Resources

Student Handout 2-1 — Mediation
Student Handout 2-2 — Steps in the Mediation Process
Mediation Simulations
How Was Our Mediation?

Procedures

1. Explain to students that they will be role playing situations requiring mediation in groups. There are no scripts for these mediations, but the situations will be described.

2. Select two simulations you feel are appropriate for your class. Copy the mediation simulations and cut them so that each party can have his or her own background. Divide students into groups of four (two mediators and two disputants) and assign roles for the first simulation. Give them their background and have students practice the mediation. You may want to have everyone practice the same mediation and then let one group demonstrate it. As with every mediation, students should complete the Our Mediation form. You may also wish to have the groups complete the How Was Our Mediation form from the Appendix. You could follow the same process with the second selected mediation. Use **Handouts 2-1** and **2-2** to guide your evaluation of the process. Have the other groups compare and contrast what they did to what was demonstrated.

3. Discuss, as a class, the results of mediation. Use **Handouts 2-1** and **2-2** to evaluate how well each mediation went. Were some simulations easier to mediate than others? What solutions did they agree on? What makes reaching an agreement easier or more difficult?

4. Journal Writing Assignment: Have students write about their participation in these roles. As a mediator, what did they feel they did well? What would they do differently? In their role as a disputant, how did they feel? Was it possible to resolve the conflicts? Why or why not? You may wish to have students refer to their self-evaluations as they write.

MEDIATION SIMULATION 1

MEDIATOR *Situation*

A teacher has requested mediation for Student A and Student B. The teacher says that the disputants were disrupting the class by arguing loudly. They were sent to time out. The disputants seem to dislike each other and often get into loud disagreements. You have been asked to mediate their conflict.

CUT HERE_____

MEDIATION SIMULATION 1

STUDENT A *Situation*

You and Student B had a loud disagreement in the classroom, then got sent to time-out. Your teacher has requested the mediation.

Your Viewpoint

Student B is always bugging you in your science group. You think Student B is very smart but not very nice. Today Student B looked at you, kicked your chair, and pushed your materials on the floor. You are ready to fight.

Background Information

Science is very hard for you, and you feel the other students in the group are putting you down, especially Student B.

CUT HERE_____

MEDIATION SIMULATION 1

STUDENT B *Situation*

You and Student A had a loud disagreement in the classroom, then got sent to time-out. Your teacher has requested the mediation.

Your Viewpoint

You think Student A asks dumb questions that disrupt your science group. The whole group has to wait around while Student A asks questions.

Background Information

You think Student A should be in another science group. You are not patient with people you think are stupid.

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MEDIATION SIMULATION 2

MEDIATOR *Situation*

Student A has requested a mediation between him or herself and Student B. Student A and Student B were arguing over the last ball in the basket at recess. The playground supervisor took the ball away from them and wouldn't let either of them have it. You have been asked to mediate their conflict.

CUT HERE_____

MEDIATION SIMULATION 2

STUDENT A *Situation*

There was only one ball left in the basket, and you and Student B both wanted it. You were arguing when the playground supervisor took it and would not let either of you have it. You have requested the mediation.

Your Viewpoint

You got to the basket before Student B and had the ball first. You were going to ask your friends to play a game with the ball.

Background Information

You don't have many friends and don't get invited to play with others as much as you would like. Some of the other students play with you when you ask them to. Student B is not nice to you most of the time and does not seem to like anyone who will play with you.

CUT HERE_____

MEDIATION SIMULATION 2

STUDENT B *Situation*

There was only one ball left in the basket, and Student A and you both wanted it. You were arguing when the playground supervisor took it and would not let either of you have it. Student A has requested the mediation.

Your Viewpoint

You and your friends always play ball at recess, and it was your turn to get the ball. Student A took the ball just before you got there. Student A does not like to play ball games and chooses not to join you and your friends in your activities. You think Student A should have found something else to do.

Background Information

You have a special group of friends who like to play active games, and you are all good players. You are looked up to by several members of your group of friends because you are often the best player in the game.

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MEDIATION SIMULATION 3

MEDIATOR *Situation*

Student A has requested mediation between her or himself and Student B. Student A gave you a note that says, "Student B keeps bugging me and talking about me. Student B throws food at me in the lunchroom all the time." You have been asked to mediate their conflict.

CUT HERE_____

MEDIATION SIMULATION 3

STUDENT A *Situation*

You accidentally dropped a piece of pizza in Student B's lap today in the cafeteria, and Student B was ready to fight you. You have requested mediation.

Your Viewpoint

Student B sits two tables away from you in the lunchroom and keeps making faces and whispering to friends about you. Student B even throws food at you when the teacher is not looking. However, you do feel bad about dropping the piece of pizza.

Background Information

You were friends with Student B last school year, but the friendship broke off when the new school year began. You are not sure why the relationship changed.

CUT HERE_____

MEDIATION SIMULATION 3

STUDENT B *Situation*

Student A dropped a piece of pizza in your lap in the cafeteria today. You were ready to fight. Student A has requested the mediation.

Your Viewpoint

Student A was your friend until this year. You believe Student A acts superior to everyone else and is always putting other people down. You don't think dropping the slice of pizza in your lap was an accident. You want Student A to pay to have your pants dry-cleaned.

Background Information

You think Student A is acting this way because Student A is in a "gifted" classroom. Student A only hangs around with students from the gifted class.

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MEDIATION SIMULATION 4

MEDIATOR *Situation*

Student A has requested mediation between her or himself and Student B. Student A wrote a statement that says, "I share a locker with Student B. I was waiting for Student B to arrive at school this morning. I got into a loud argument with Student B over stuff that was missing." You have been asked to mediate their conflict.

CUT HERE_____

MEDIATION SIMULATION 4

STUDENT A *Situation*

You and Student B are arguing about things missing from your locker.

Your Viewpoint

Yesterday you opened your locker, and your lunch money and your math book with your completed homework in it were missing. You had to stay after school to redo the homework, and when you asked Student B about it, Student B would not say anything.

Background Information

You are a messy person and Student B is very neat. You and Student B were good friends before you became locker partners.

CUT HERE_____

MEDIATION SIMULATION 4

STUDENT B *Situation*

You and Student A are arguing about things missing from the locker you share.

Your Viewpoint

Last week some of your pictures inside the locker were gone, as well as your math book. The locker is always a mess, and you just take the first book you see. You admit taking the book and the money from Student A because you were not sure whose they were.

Background Information

You are a neat person and have given up on trying to keep the locker clean because Student A is so messy.

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MEDIATION SIMULATION 5

MEDIATOR *Situation*

Student A has requested mediation with Student B. Student A has written a note that says, "I told the teacher that Student B was cheating on a history test, and the teacher took away Student B's test. Student B threatened me and pushed me down on the playground. Now I'm afraid of Student B."

CUT HERE_____

MEDIATION SIMULATION 5

STUDENT A *Situation*

You told the teacher that Student B was cheating on a history test. The teacher took away Student B's test. Student B threatened you and pushed you down on the playground. You have requested the mediation.

Your Viewpoint

You believe that no one should cheat on tests and that it is each student's responsibility to report anyone who does cheat. You think Student B is lazy and looks for shortcuts instead of working hard. Student B gets by with things because everyone is afraid of him/her.

Background Information

You are a good student who studies hard and nearly always gets the best scores on tests. You think Student B is a bully, and are afraid of Student B.

CUT HERE_____

MEDIATION SIMULATION 5

STUDENT B *Situation*

Student A told the teacher that you were cheating on a history test. The teacher took your test away, so you couldn't finish the test. You got a little rough on the playground with Student A, but he/she was asking for it. Student A has requested the mediation.

Your Viewpoint

You think Student A should keep out of your business. You have a hard time with history and think the tests are confusing and unfair. Student A always brags about having the highest grade in history.

Background Information

Your parents expect you to do well in everything! They get upset with you when you don't score well on tests. Other kids think you are tough, and you don't want to lose face by asking the teacher for help.

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Lesson Five: Historical Scenario: Mediating the American Revolution

Objective

Students will role play a mediation between American colonists and British officials.

Resources

Student Handout 2-1 — Mediation
Student Handout 2-2 — Steps in the Mediation Process
Student Handout 2-5 — Historical Scenario: The American Revolution

Procedures

Note: It is important that students have some background knowledge of the events leading up to the American Revolution for this lesson. The lesson can be taught at a later point in your schedule if appropriate.

1. Explain to students that mediation can work anywhere from the schoolyard, to the home, to international politics. They will now learn about how mediation might have changed the outcome of a very important event in American history. This activity will review their knowledge of the mediation process.

2. Have students read **Student Handout 2-5**. Discuss any questions they may have about content.

3. Go through the mediation process for this scenario, either in small groups or in a class discussion. Small groups can be conducted in the same way as previous mediations. A class discussion can go through the steps and discuss how they might have been handled.

Lesson Six: To Mediate or Not to Mediate?

Objective:
Students will learn that mediation is not the best solution to every conflict. Students will think critically about the best way to solve some hypothetical situations.

Resources
Student Handout 2-6

Procedure

1. Tell students that while mediation is often an excellent way to resolve disputes, it is not always the best way. Sometimes, it is appropriate to rely on established rules instead of trying to find a compromise. Today, students will think about when mediation is appropriate.

2. Distribute **Student Handout 2-6**. Have students indicate whether the situation should be mediated or not by writing Yes or No next to it. Tell students to think about the reasons for their decisions, because they will be discussion them with other students. If they answer No to any of the situations, they should think about what the best solution would be.

3. Break students into small groups, one for each scenario. Students should discuss the reasons for their answers and attempt to come to a consensus about the appropriate course of action.

4. Each group should present their decision and reasons to the rest of the class. If they did not come to a consensus, they can explain the reasons for the alternatives. Students from outside the group may want to comment on why they agree or disagree with the group.

5. Repeat this process for each scenario.

Journal Writing Assignment: Have students write their group's decision and why they think it will work.

Mediation

Mediation is when trained people help others work together to resolve conflicts peaceably.

Disputants...

- Try to understand each other's point of view.
- Take turns telling each other what they want and how they feel.
- Are willing to cooperate in solving a problem.

Mediators...

- Do not take sides.
- Do not solve the problem, but help the disputants solve their problem.
- Do not tell people what to do.
- Listen to understand both sides.
- Are respectful.
- Keep information private.
- Help people work together.

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Steps in the Mediation Process

Step 1: Agreeing to Mediate

- The mediator welcomes the disputants and introduces him/herself.
- The mediator explains that everyone must take turns speaking and listening, that disputants need to cooperate to solve their problem, and that everyone must be honest.
- The mediator asks the disputants, "Are you willing to follow the rules?"

Step 2: What Is the Problem?/Listening and Understanding One Another

- The mediator asks each person to tell his or her side of the story.
- The mediator summarizes what each person says.
- The mediator asks each person:
  "Did I summarize what happened correctly?"
  "How did you feel about what happened?"
  "Do you have anything to add?"

Step 3: Generating Options

- The mediator explains the brainstorming rules:
  Say any idea that comes to mind.
  Do not judge or discuss ideas.
  Suggest as many ideas as possible.
  Try to think of unusual ideas.
- The disputants brainstorm their options.

Step 4: Evaluating Choices

- For each choice, the mediator asks both disputants:
  "Would this be fair to both of you?"
  "Can you combine various ideas or parts of ideas to make a win-win situation?"
  "Do you think you can make a workable plan?"
  "Can you keep your part of the agreement if this choice is made?"

Step 5: Reaching an Agreement

- Disputants write an agreement to answer the questions "Who, what, when, where, and how?"
- The disputants should summarize the points of the agreement.
- The mediator should ask each person:
  "Is the problem solved?"
  "Are you willing to sign the agreement?"
- The disputants and mediator set up a date to review progress made on the agreement.

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Sample Mediation

Step 1: Agreeing to Mediate

Alex: Good morning! My name is Alex and I'll be your mediator. What are your names?

Linda: I'm Linda.

Manjit: My name is Manjit.

Alex: OK, Linda and Manjit. Welcome to mediation. My job is to help you two solve your problem. In mediation, you must take turns speaking and listening, you must cooperate to solve your problem, and you must be honest. Are you willing to follow the rules?

Linda: Yeah.

Manjit: Yes, Alex.

Step 2: What Is the Problem?/Listening and Understanding One Another

Alex: Linda, please tell your side of the story. Then Manjit will tell his.

Linda: OK, this is what happened. I like making people laugh. I'm going to be a comedian someday! I'm so bad in math, I know I'll never be a scientist! My friends are always asking me to talk like people in school. Everybody thinks it's funny. Except Manjit.

Manjit came to our school at the beginning of this year. He had a really funny voice and wore bandages on his head like a mummy! It's fun to talk like him. One day I put a T-shirt on my head and talked like him. I didn't think he would mind. I wasn't being mean. I was just making people laugh. Manjit got upset and told on me. Now some of my friends are taking his side. I don't understand why everyone's mad at me!

Alex: Linda, you are saying that you want to be a comedian. You have always made people laugh by talking like them. You did this to Manjit and he became upset. You don't understand why. Did I summarize what happened correctly?

Linda: Yes.

Alex: How did you feel about what happened?

Linda: I don't understand. I think I'm very good at being funny.

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Alex: Do you have anything to add?

Linda: Yes! 2+2=4. I'm done with my story.

Alex: Manjit, let's hear your side of the story.

Manjit: Thank you. I am very new to America. I miss my old home. Sometimes school is very hard for me here. Americans say things in strange ways and do things I don't understand. I was always a good student in my old school, especially in math. Now it is hard to understand people, and I don't do well in any class but math.

It has been very hard to make new friends. Everyone thinks I am stupid or weird. Linda makes fun of the way I talk and calls me "the Mummy." She says I wear bandages on my head. That hurts the most. The turban I wear on my head is a very important part of the Sikh religion. I wouldn't make fun of Linda's religion.

Alex: Manjit, you are saying that you miss your old country. It is hard for you to learn a new culture. School is harder for you now. It hurts your feelings when she makes fun of your religion. Did I summarize what happened correctly?

Manjit: Yes.

Alex: How did you feel about what happened?

Manjit: It makes me sad. I thought freedom of religion was important in America, but people like Linda make fun of mine. I am scared to talk to people now, because Linda will make fun of how I look or talk.

Alex: Do you have anything to add?

Manjit: No.

Step 3: Generating Options

Alex: Now the two of you will brainstorm options for solving your conflict. The rules for brainstorming are that you should:

- Say any idea that comes to mind.
- Do not judge or discuss ideas.
- Suggest as many ideas as possible;
- Try to think of unusual ideas.

What ideas do you have?

Linda: Manjit could learn to take a joke.

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Manjit: Linda could stop picking on me.

Alex: Remember to think of unusual ideas.

Linda: I could help Manjit learn to talk like an American.

Manjit: I could help Linda with her math homework, if she would stop making fun of me.

Alex: Good. Can you think of anything else?

Linda: No.

Manjit: No.

Step 4: Evaluating Choices

Alex: Now we need to think about these choices. Would they be fair to both parties?

Manjit: I don't think it's fair to tell me I should learn to take a joke. The joke isn't funny. I think the other ideas are fair.

Linda: I agree with Manjit.

Alex: Can you put ideas together to make a win-win situation?

Linda: Well, if Manjit helped me with math, I could help him learn about how Americans talk at the same time.

Manjit: Maybe I could help a group of your friends together, so I could meet even more people. You would have to stop making fun of me.

Linda: We could ask the teacher to help us set up a study time.

Alex: Do you think you can make a workable plan?

Linda: Yes.

Manjit: Yes.

Alex: Can you keep your part of the agreement if this choice is made?

Linda: Yes.

Manjit: Yes.

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Step 5: Reaching an Agreement

Alex: Now, I want the two of you to write your agreement. It should answer the questions "who, what, when, where, and how?" Before you write, please summarize your agreement.

Linda: Manjit and I will ask the teacher to help us start a math study group. I'll stop making fun of Manjit.

Manjit: I will help Linda and her friends with math, and they will help me with my English.

Alex: Is the problem solved?

Manjit: Yes.

Linda: Yes.

Alex: Are you willing to sign the agreement?

Linda: Yes.

Manjit: Yes.

Alex: Great. You should shake hands, if you want. Let's meet again in a week to see if the agreement is working.

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Student Handout 2-4

Worth a Hill of Beans? A Practice Mediation

Jaimie: Good morning. Welcome to mediation. I'm Jaimie.

Avi: And I'm Avi. We're your mediators. What are your names?

Jackie: My name is Bean. Jackie Bean.

Mr. Biggs: I'm Clarence Biggs.

Jaimie: The rules of mediation are: Mediators do not take sides, everyone takes turns speaking and listening—so no one should interrupt—and cooperate to solve the problem. Are you willing to follow these rules?

Jackie: OK.

Mr. Biggs: OK.

Avi: Jackie, please tell what happened.

Jackie: My mom and I live alone on a small farm. It's OK, but it can be pretty boring sometimes. Yesterday, Mom said I could sell our cow, Bessie, so we could get a TV. I had wanted a TV for a long time! Anyway, I was on my way to town when I saw a really tall guy walking towards me.

Jaimie: Mr. Biggs?

Jackie: Yeah, it was him. He stopped me and said he really admired my cow. He said he was a rancher from far away. He said she looked pretty old and stringy, but because he liked cows so much he would give me a fair price and give Bessie a good home. Then he leaned over and said that he would give me five magic soybeans for Bessie. He said soybeans are a great crop these days, because they're high in protein and lots of people eat less meat. He said that since the beans are magic, we'd make a lot more money than we would with a whole bushel of regular beans. It sounded like a good deal, and I thought it was kind of exciting to have something magic, so I made the deal. Boy, was I wrong! You ripped me off, you jerk!

Avi: Jackie, you agreed to cooperate to find a win-win solution. We can't help you do that if you yell and call names. Will you apologize to Mr. Biggs and follow the rules from now on?

Jackie: I guess so. I'm sorry, Mr. Biggs. I would like to find a win-win solution.

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Mr. Biggs: I want to find a solution, too, so I accept your apology.

Jaimie: It can be easy to get mad in a conflict, but mediation won't work if you don't stay calm and follow the rules. Jackie, you are saying that you took your family's cow to the village to sell. You accepted Mr. Biggs' magic beans as payment for Bessie. You think the deal was unfair to you.

Jackie: Yes, that's right.

Avi: Let's move on. Mr. Biggs, please tell us what happened.

Mr. Biggs: Well, it's kind of like the kid said, except for the part about the rip-off! I was walking back to my ranch from town, when I saw Jackie walking along with a bony old cow. Even though she was old and bony, I could tell she was a special cow of a very rare breed. I'm a businessman, and businessmen always try to get the best end of a deal. There's nothing wrong with that! It's the American way! I wanted the cow, and all I had to trade were five beans. They weren't worth as much as the cow, but they were magic, and I thought the kid might have fun with them and maybe even make some money.

Jaimie: You are saying that you offered Jackie magic beans in exchange for Bessie and that Jackie accepted this deal. You thought Jackie would enjoy the beans and possibly make money from them.

Mr. Biggs: That's right.

Avi: Jackie, do you have anything to add?

Jackie: Yes! The deal wasn't fair at all! When I got home, my mother was so mad she threw the beans out the window. They grew very tall overnight, but I don't see how they will make us much money. It will take forever to climb up those beanstalks just to pick a few beans! Now we have more work, no milk, no cow, no TV, and no money. I don't know how my mom and I will get by, and it's all because Mr. Biggs tricked me into a rotten deal.

Jaimie: You're saying that the beans are not as valuable as you thought they would be, so you think the trade for Bessie was unfair.

Jackie: That's right.

Avi: Mr. Biggs, would you like to add anything?

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Mr. Biggs: Yes, I would. I was sorry to hear that Jackie and Mrs. Bean are poor. Maybe Jackie should have been more careful about trading away their only valuable property. Jackie made an agreement and should stick by it. I like Bessie very much, and I think I can give her a better home than Jackie and Mrs. Bean did. I would like to keep her. Still, I don't want these people to lose everything because the kid made a bad deal. I hope we can find a solution that we all like.

Jaimie: You're saying that Jackie made a deal and you think that is final. You are also saying that you like Bessie and do not want to give her back. You want to find a win-win solution.

Mr. Biggs: Right.

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Historical Scenario:
The American Revolution

Every year, the citizens of the United States celebrate Independence Day on the 4th of July. In order to become a free country, it became necessary to fight a war against the British. What would have happened if both sides had mediated? Let's look at the situation.

For a number of years the British government had ignored the colonists and allowed them a great deal of freedom. But in the 1760s, the British government imposed new laws and taxes on the colonists because England needed money to pay for its wars. Many of the colonists were very unhappy about the loss of freedom and new taxes.

Go back in time and imagine you have been called upon to mediate the conflict between Great Britain and the American colonies. The people on both sides have agreed to accept the plan of action the two representatives consider workable.

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Representative of Great Britain

You have been sent to America to prevent a revolution! You have not been to the colonies for twenty years. You can't understand why the colonists are so angry about the new taxes and laws. England has been through many wars and hard times. You think the colonists should be thankful that they are part of a great nation. They should be happy to help their country. The colonists should understand that it has cost a lot of money to protect them from the French and the Indians. Don't the colonists understand that the mother country is in debt and that citizens of England are paying very high taxes? You think the colonists should think of themselves as sons and daughters who would help their mother if she were in need. The colonists are represented in the government by people elected to make sure England is safe and strong. The colonists will be in danger if England is not strong.

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Representative of American Colonies

You are glad that the English representative is coming. You want the representative to see how much progress the colonists have made. Once the representative sees that the people here are able to govern themselves and that they need whatever funds are available to continue improving the colonies, the representative may understand why the colonists don't feel they should pay English taxes. The representative should understand that the colonies have no representation in passing laws that affect them. The laws are very unfair. You don't want to be involved in wars that England is fighting. You think it would be a mistake to start a revolution, but many of the colonists have become used to having freedom and are disgusted with these new laws. They don't think it is right for a country thousands of miles away to try to take away their rights.

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Student Handout 2-6

To Mediate or Not to Mediate?

You have learned that mediation can be a good way to solve problems. It is not always the best way to solve a problem. Decide whether you think each situation should be resolved through mediation or in another way. Write **Yes** next to the situation if you think it should be mediated. Write **No** next to the situation if you think it should be resolved another way. If you say no, think about how the problem should be resolved. Discuss your reasons with your group.

_____ 1. During art class, you leave your desk for a minute to get a piece of paper. You leave your crayons on top of your desk. When you come back, your crayons are gone. You ask the students around you, but no one will say that they took your crayons.

_____ 2. Today in gym class, there are a bunch of different games you can play. You want to shoot some hoops, but another kid takes the last basketball.

_____ 3. You are standing in line, waiting to leave your classroom. The person behind you shoves you hard, and you fall down.

_____ 4. There's a table you and your friends always sit at for lunch. Today another group of kids are already sitting there, and there isn't enough room for you and your friends.

_____ 5. You are near the front of the line for the drinking fountain. Some students ahead of you call to a friend of theirs, and their friend cuts in line ahead of you.

_____ 6. You broke your nose in a bike crash a week ago, and your nose is very swollen and gross-looking. You feel bad about how it makes you look. A boy in your class is always making fun of your nose.

_____ 7. An older kid always threatens to beat you up if you don't give him your lunch money. You have been giving him the money.

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Unit III

Working Together to Build a Government: Balancing Rights and Safety

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Unit III
Working Together to Build a Government: Balancing Rights and Safety

Introduction

This unit introduces students to the United States Constitution and the idea of limited government. It builds on Units I and II by further exploring formal (institutional) structures such as classroom rules and the U.S. Constitution, and informal (personal) skills such as mediation. The Constitution establishes the basic rights of citizens to life, liberty, and property as well as the responsibility of government to protect rights. It establishes the powers and limits of the federal government.

Objectives

Students will:

- learn about the purposes of government found in the Preamble to the Constitution
- become familiar with life in Colonial times
- explain the relationship between rights of citizens and the desire for immigrants to come to the United States
- build interviewing skills
- create a rationale for specific rights guaranteed by the Constitution, including free expression, privacy, due process of law, and equal protection of the law
- understand the system of checks and balances and separation of powers in the U.S. Constitution
- express a position and justify the position with reasoned arguments

Resources

Student Handouts

Student Handout 3-1 — Preamble to the Constitution
Student Handout 3-2 — Reasons for Coming to America
Student Handout 3-3 — A Visitor from Outer Space
Student Handout 3-4 — Interview with an Immigrant
Student Handout 3-5 — Procedures Used in Salem Witch Trial
Student Handout 3-6 — The Case of Sarah Good
Student Handout 3-7 — Questions for the Case of Sarah Good
Student Handout 3-8 — Sacred Blade at Heart of School Dispute

Materials Needed

Photographs from newspapers, magazines
3x5 note cards
Student Journals
We the People pp. 4-12 (©1988 by the Center for Civic Education)
Map of guest immigrant's native country
The Witchcraft of Salem Village by Shirley Jackson (optional)
The Witch of Blackbird Pond by Elizabeth Speare (optional)

Suggested Resource Persons

Attorney(s)
Immigrant

Lesson One: Preamble to the Constitution

Objective

Students will reach a deeper understanding of the Preamble to the U.S. Constitution by analyzing its content.

Teacher Background

The U.S. Constitution establishes the framework for our government. It describes the powers and responsibilities of those who govern the country. It determines who makes laws, who is responsible for carrying out the laws, and how we can use the law to resolve conflict. The Preamble to the Constitution was written to help people understand what a good government does and who controls the government. The Preamble can be compared to the "vision" the students created in Unit I. Based on that vision, students created classroom rules. Based on the Preamble the founders created the Constitution. The establishment of the rule of law is crucial to creating a society that can resolve conflicts peacefully.

Resources

Student Handout 3-1 — Preamble to the Constitution
Photographs from newspapers, magazines
3x5 notecards
Dictionaries
Student Journals

Procedures

1. Link the Constitution to the rules of the class by explaining that both set up a framework in which the government and the classroom, respectively, operate. They are different because the class rules apply to only one classroom and are specific. The Constitution is more general. It applies to the entire country and it establishes a structure to make the specific rules.

2. Ask students to look at **Student Handout 3-1**, the Preamble to the Constitution. Explain that it is the beginning of the United States Constitution and it states some general goals or purposes for our government. Because it is so important and because it has difficult words, explain to students that they will be studying it thoroughly.

3. As an ongoing activity for this unit, develop a vocabulary bulletin board. Have students post difficult words and phrases on the bulletin board. Post definitions on sentence strips. Can students match terms correctly? Can they find pictures to represent the words and phrases?

4. Assign students to groups of 4 or 5, one for each underlined phrase from the Preamble. You may want to use the "rules committee" groupings from Unit I. Each group should have a dictionary on its table and sets of photos related to their phrases. More than one group can work on each phrase, if necessary. You may want to bring newspapers and magazines containing relevant pictures for students to find and cut out. You could also ask students to bring newspapers and magazines from home.

5. Ask each group to determine the meaning of their phrase using the available materials. Then they should develop a presentation, skit, poster, rap, or team essay to communicate the meaning of their phrase to the class. This is an opportunity for them to be creative, so encourage them to experiment.

   Examples:

   We the People (large, diverse group of people)
   Establish justice (courtroom and blind scales of justice)
   Insure domestic tranquillity (marchers being protected by police)
   Provide for the common defense (newspaper headline about war or picture of soldiers)
   Promote the general welfare (warning label on cigarette package or food inspection label)
   Secure the blessings of liberty (someone making a public speech or protesting)

6. Have each group make a presentation to the class on the meaning of their phrase from the Preamble.

7. After the presentations, develop a common meaning for each phrase and have students write the meanings in their notebook. You may also want them to write the meaning on 3 x 5 note cards for use in the unit review activity.

   Suggested meanings:
   -We the People: all different kinds of people are responsible for the government
   -Establish justice: fairness
   -Insure domestic tranquillity: peaceful situation within our country
   -Provide for the common defense: protection of people from enemies
   -Promote the general welfare: good of all the people
   -Secure the blessings of liberty: everyone has freedom within a framework of law

8. Check for student understanding of the entire Preamble, including words that are not underlined (e.g., ordain, posterity).

9. Journal Writing Assignment: Have students select the phrase in the Preamble that is most important to them and write about why they selected that phrase.

Lesson Two: Coming to America

Objective

Students will understand why people came and come to this country.

Resources

Student Handout 3-1 — Preamble to the Constitution
We the People pp. 4-12
Student Handout 3-2 — Reasons for Coming to America
3x5 notecards

Procedures

1. Have the class read about colonial life in the Americas. Pages 4-12 from the Center for Civic Education's text *We the People* are recommended for this assignment. This reading describes life in colonial times. In pairs, have students select and write on index cards three facts from the reading they think are important to remember. Also have them create two cards from the information they learned about the Preamble. Collect the cards and save them for a Unit review. Reviewing the cards will also help you evaluate whether students can select important information from texts. You may need to review the reading with students to point out the most important information and give students a chance to revise the cards.

2. Explain to students that English colonists, who were a majority of those coming to America in the 17th and 18th Centuries, came for a variety of reasons. While they generally came in hopes of a better life and a new start, they had some specific concerns. Ask students to speculate about why people would leave England to come to colonies knowing the trip across the ocean was dangerous and their future in the colonies would be filled with unknowns. Write their responses on the board. Then ask students to take out **Student Handout 3-2** (Reasons for Coming to America).

3. Ask students to compare their suggested reasons for coming to the colonies to the ones provided. Be sure students understand each of the reasons. Ask students how the early immigrants would feel about the underlined passages in the Preamble. Do not let students be vague in their responses. Ask them to respond to each underlined passage in the Preamble and give reasons for their answers. You may want to post the phrases on separate pieces of newsprint and have the students write their reasons underneath each one. Then ask what rights the immigrants might want in their new country.

Lesson Three: A Visitor from Outer Space

Objective

Students will reach a deeper understanding of some important rights.

Resources

Student Handout 3-3 — A Visitor from Outer Space
Attorney(s)

Procedures

1. Divide students into groups of four or five. Ask students to look at **Student Handout 3-3** (A Visitor from Outer Space). Read the opening paragraphs and then briefly review with students the meaning of each listed right. Ask students to define each right and help them explain the ones that are unfamiliar. Check for understanding, making sure that students understand the Bill of Rights protects them from violations by government organizations and people. Private actors (companies, parents, individuals) are limited in different ways.

2. Have students select the five rights they want to preserve. When they have agreed on five rights, they may join with another group to try to reach a larger consensus.

3. List the ten rights from the handout on the board and poll the class on their group's ranking of each right.

4. You or the resource person should go through the list of rights with students, to learn what different groups thought. Constructively challenge the class and encourage students to appreciate alternate perspectives. You should ask students to support their choices and ideas with reasoned arguments.

Note: Students may argue that some of the rights imply others in an attempt to keep them all. (This is acceptable if they can make a good argument.) During the discussion you can ask students to reflect on what each right means today. Ask if the new rulers would have the same interpretation. For example, would the aliens understand the right to privacy in the same way we do?

5. As you go through the list of rights, ask students the consequences of keeping or losing particular rights. Help interpret the meaning of specific rights and comment on (or attempt to elicit from students) responsibilities that go with these rights. The introduction of challenging questions, new information, and/or relevant stories will help to keep students interested in the conversation.

6. Since all of the groups in the room will rarely agree, it can be constructive to have students talk to each other about their reasons. For example, why might two groups have voted to keep the right to bear arms, and three give it up? Get them to state their reasons so that the other groups understand them. If there is a classwide consensus, you or the resource person should play devil's advocate and argue the other side.

7. Ask students to create a list of individual responsibilities for each right they have chosen to keep.

8. Ask students how they would feel about aliens limiting their rights. Point out how the colonists felt just before the revolutionary war when Great Britain tried to control them after years of "non-interference." Discuss with students when it is important to "fight" for your rights. Be sure they consider both the potential costs and benefits.

9. Debrief students on the activity.

Note: A visiting lawyer can contribute to this lesson in several ways. He/she can lead a class discussion about the consequences that would result from having only the rights selected by the students. The lawyer could also react to the class decisions and express her or his choice of five rights. The lawyer can also help in interpreting the meaning of specific rights and comment on the list of responsibilities created by students.

10. Tell students that they will have a chance to meet someone who came recently from another country. Have students generate questions they want to ask the person and/or use the ones on **Student Handout 3-4** (Interview with an Immigrant). Students may generate questions in groups in class or as homework. Assign students to teams of three. One student in each group will ask the questions and the other two will take notes like reporters on the immigrant's responses.

11. The immigrant should be given a copy of A Visitor from Outer Space. Tell him/her that the students will ask how important these rights are to him/her.

Note: There are certain responses and mistakes that are common among students doing the Visitor from Outer Space activity. Suggestions follow for dealing with these situations, if they should arise:

Right to keep and bear arms — Many fifth-graders choose not to keep this right. You may need to play devil's advocate and/or explain some of the history behind this right. Ask students: Why might the founders have considered this an important right? What controversies exist today over the meaning of this right? Does this right make people more or less safe?

Right to protection from cruel and unusual punishment — Students often become confused over this right, thinking that it applies to punishment by their peers or parents. It is important to link this to due process explaining that you must be proven guilty beyond a reasonable doubt in a criminal trial, then sentenced appropriately.

Right to freedom of press — Students may find the importance of this amendment difficult to understand. Help them to understand the alternative, in which the government controls the release and form of news. People would read what only the government wanted them to read. Alternatively, they may argue that this right is implicit in a right to free speech.

Right to a jury trial — Review the definition of jury—a group of people who have sworn to be fair and have been questioned by both the prosecution and the defense who also believe they will be fair. Help them to understand alternatives to jury trials, and the reasons why the founders might have been leery of trials by judges.

Right to freedom of religion — Students frequently keep this right. Remind them that it means the government should remain neutral—neither encouraging nor discouraging religion. Even though many people came to America for religious freedom, they weren't always tolerant of other religions.

Right to peacefully assemble — This right is frequently dismissed. Like the right to freedom of the press, students may argue this right is included in the right to freedom of speech. As with all the others, historical context and consideration of alternatives may help students to understand why this right was included in the Bill of Rights. Remind them that if you can't get together, you'd have to say whatever you want in private.

Right to privacy — A right students often keep, but often misunderstand as a right to privacy from parents, siblings, etc. Be certain to emphasize that this right only protects individuals from unreasonable search and seizure by **government** representatives.

Protection from self-incrimination — Students are likely to need an explanation of the term self-incrimination, and may have a difficult time understanding why people should not be forced to admit to their wrongdoing. You may wish to have them imagine themselves being accused of a crime they did not commit and feeling forced to confess.

Lesson Four: Interview with an Immigrant

Objective

Students will gain insight into how an immigrant views rights guaranteed in the Bill of Rights.

Resources

Student Handout 3-4 — Interview with an Immigrant
Immigrant
Map including immigrant's native country
Student questions
3x5 notecards (optional)

Procedures

Note: Be sure to send your guest a copy of the Interview with an Immigrant questions and A Visitor from Outer Space ahead of time.

1. Ask the immigrant to make a few comments about herself or himself and then have students ask questions. Each group of students should ask at least one question. If possible, there should be a classroom map showing the immigrant's home country posted on the wall.

2. Have students ask the immigrant the questions on **Student Handout 3-4**.

3. When the interview is over, have students thank the immigrant. Then ask students to review the immigrant's answers to the questions to be sure everyone has the same information. Make sure students reflect on any comments the immigrant made about rights and his or her coming to the United States.

4. Writing Assignment: In a thank you note to the guest, have students reflect on one of the following statements:
   "One thing I heard in class today that I want to remember is . . . ."
   "One think I heard in class today that I think my friends should know is . . . ."

Lesson Five: Salem Witch Trial

Objective

Students will gain a deeper appreciation for why people value the rights outlined in the Bill of Rights and how these rights can help stop violence by a government, protect the views and safety of minorities, and promote the rule of law.

Teacher Background

In this lesson, based on historical events prior to the writing of the U.S. Constitution, individuals are tried without protections and executed for crimes against the state. In this case, the church and state are one and the same.

People have believed in witchcraft for thousands of years. In Europe, the idea that witchcraft was evil began in the Middle Ages, when the Christian Church held that witches assisted the Devil in his combat with God for people's souls. They believed that witches gained supernatural powers by entering into a pact with the Devil. In order to protect God's kingdom on earth, these Christians felt they had no choice but to find witches, make them confess, and execute them.

History shows that in times of great stress, some people and governments have gone on witch hunts as a way to deal with their troubles. They thought that once the witches were eliminated, the trouble would end, and the world would return to normal. Salem Village, Massachusetts, went on a witch hunt in 1692. The villagers took their actions very seriously. The times were such that they felt only drastic measures could save their colony, their village, and their Christian souls. Hindsight indicates that somewhere in the struggle, fear conquered reason and innocent people were sacrificed.

It is not hard to imagine people of another time and place doing such things. It is harder to accept that some of them were founders of our own country. Why did they do it?

<u>What Was It Like to Live in Salem in 1692?</u>
In 1648, Massachusetts lost its charter and much of the freedom of government it had enjoyed for fifty years. King James II sent a royal governor to supervise law making, taxation, and the courts. The governor was the chief executive of Massachusetts. Puritans had always elected their own governor. They did not like or trust the royal governor, Andros. They believed that he was conspiring against them with the Native American groups in the area, and they lived in fear that he would try to change their system of government.

In 1688, the Iroquois Indians, their Indian allies, and the French attacked frontier settlements, starting a war that lasted many years. Each week, Massachusetts Puritans

learned of the massacre of friends and neighbors in outlying villages. Every twig that snapped in the night aroused fear and anxiety.

Smallpox epidemics killed hundreds of people in Massachusetts from 1680 to 1691. Smallpox was the disease most dreaded among settlers for the suffering it caused and its high rate of mortality.

In 1692, an earthquake struck the British colony in Jamaica. About 1,700 people were killed. Massachusetts Puritans, while not directly affected, saw this as one more sign of God's disfavor.

Perhaps the Puritans could have accepted all of these disasters, but there was another that struck at the very foundation of their lives in the New World. Their Church was being destroyed. It was losing its hold on the children and grandchildren of the founders. Church attendance was falling off. Fewer people were joining the Church. A large number of people were coming into the colony who were not Puritans and were not willing to live according to what the Puritans believed. These people were associating with good Puritans and gaining more influence in the political and business life of the colony. To make matters even worse, Puritans had heard rumors that England was planning to establish a State church in the colonies. When they did, the Puritan idea of a state based on a close relationship between their Church and the government would come to an end.

Why had these things happened? Who was responsible? What could the Puritans do to save their beliefs and regain control of their colony?

Puritans were certain that God was angry with them for sins they had committed and that He was allowing the Devil to do evil things to them. They knew they had to somehow drive out the Devil and become reunited with God. They held long prayer sessions in which they apologized for their wrongdoing and promised to reform. They kept an eye out for people in their communities who might be agents of the Devil. They drove out people, such as Quakers and Catholics, whose religious beliefs were drastically different from their own. And, in Salem, in the winter of 1692, they discovered and executed "witches."

Salem Puritans had suffered all of the misfortunes of the rest of the Colony. In addition, several of their village's young girls began to behave strangely. They screamed during church services, cursed their parents, got down on their hands and knees and barked like dogs, went into trances, and performed such wild contortions that no one knew if they would live from one moment to the next. The doctor, finding no medical reason for their behavior, suggested that the girls were bewitched. While a few villagers thought a good spanking might cure their bewitchment, most felt that God was sending them another punishment. They were determined to find the witches.

At first, the girls would not say that anyone in particular was bewitching them. However, their families and ministers convinced them that they would be in a lot of trouble if they did not say that someone was bewitching them. They also told the girls that the Devil was using a few people in Salem to destroy the whole village. The only way they could be saved was for the girls to name who has hurting them. Finally, the girls accused three women: Sarah Osburne, who rarely went to church and was believed to have lived with her husband before they were married; Sarah Good, a poor, pipe-smoking beggar; and Tituba, a West Indian slave who had told the girls stories of demon creatures and voodoo magic. The women were brought to trial.

Resources

Student Handout 3-5 — Procedures Used in Salem Witchcraft Trials
Student Handout 3-6 — The Case of Sarah Good
Student Handout 3-7 — Questions for the Case of Sarah Good
Attorney
The Witchcraft of Salem Village by Shirley Jackson (optional)
The Witch of Blackbird Pond by Elizabeth Speare (optional)

Procedures

Note: Activity and handouts adapted from Legal Issues in American History: A Casebook for Students in Eleventh and Twelfth Grades, Revised Experimental Edition, *©1969 Law in American Society Foundation. Adapted and reprinted with permission of CRADLE.*

1. Summarize the background information provided. Then ask students to look at **Student Handout 3-5** (Procedures Used in Salem Witchcraft Trials). Read and discuss the procedures with students. Ask how these procedures are similar to or different from our procedures for trials today.

2. Have students look at **Student Handout 3-6** (Salem Witch Trial Play). Since there are not enough roles for every student to have one, roles should be shared. Each student needs to know exactly what lines to read. Students should have time to read and rehearse their parts before the play begins. Remind students that Sarah Good was a real person and that the play is based on real events.

3. Be sure to pause after Sarah Good has testified in order to check the understanding of students.

4. Resource Person: Invite an attorney to observe students reading the play. When the play is over have the attorney help students answer the questions on **Student Handout 3-7** (Questions for the Case of Sarah Good), especially questions 5, 6, and 7. Question 8 helps make the point that mediation is not appropriate for all conflicts.

Note: The material contained in the play is based on true events and taken from the trial of Sarah Good. The language has been changed slightly to make it a little easier to understand. If your school has access to the World Wide Web, you may wish to visit the Salem Witch Trials Memorial page at http://www.salemweb.com/memorial.

Optional Activity: This activity would need to be developed in cooperation with a science teacher. Some scientists believe that the girls making witchcraft accusations were in fact victims of ergot poisoning. Ergot is a fungus that grows on grasses, especially rye. One form of ergot poisoning causes vivid hallucinations, as well as wild, jerky "dancing" and yelling that lasts until the victim falls unconscious. It can cause permanent nerve damage and even death. Lysergic acid (LSD) is a synthetic derivative of the toxins in ergot. You may wish to work with a science teacher on a science lesson based on this information. Does the hypothesis fit the evidence? How would a scientist find out? What is a fungus? Sharing the above information can also lead to a useful discussion on the dangers of the misuse of drugs to oneself and others.

Lesson Six: Sacred Blade at Heart of School Dispute

Objective

Students will gain a deeper appreciation of controversies surrounding the limits of rights in the Bill of Rights and practice mediating a conflict between two "goods"—the right to practice your religion and the right to be safe in school.

Resources

Student Handout 3-8 — Sacred Blade at Heart of School Dispute

Procedures

1. Review with students the fact that one right guaranteed by our Constitution is freedom of religion. The Preamble to the Constitution also says that government has the responsibility for insuring "domestic tranquillity" (peaceful situation within the country), providing for the "common defense" (safety), and promoting the "general welfare" (helping everyone). Sometimes these goods conflict, and the government has a hard time doing all of these things at once. The following story illustrates this problem. A school principal faces a conflict between allowing students to practice their religion and keeping the school peaceful and safe for everyone. Either read **Student Handout 3-8** (Sacred Blade At Heart of School Dispute) and check for understanding, or pair students, assigning one student to be the summarizer and the other to be the questioner. To determine who should summarize, select the students who most recently had a birthday, or those whose middle name that comes first in alphabetical order.

2. Create groups of two to four students. They are to prepare to participate in a mediation session where the principal has been asked to mediate between Rajinder's parents, who want him to wear the *kirpan* to school, and other parents who are worried that their children could come to disregard the "no weapons" rule or be hurt. Have students follow the instructions in the student material. Tell them that for the mediation, they may be asked to play the role of the principal, Rajinder's parents, or other parents. Then either redivide everyone into triads by lining up students into three rows (each representing Rajinder's parents, principals, or other parents) or select three or four people to role play the mediation in front of the class.

3. Have students role play the mediation, with Rajinder's principal as the mediator. Be sure they follow the pattern for mediation they learned in Unit II. You may need to review the steps for them or post the steps somewhere in the classroom.

4. Debrief the students.

Note: This role play is based on a 1994 California case. The court ruled that Rajinder had the right to wear the kirpan, provided it did not endanger anyone at school. In other cases, school districts have allowed students to wear kirpans to school. One school district insisted that the kirpan be put in its jacket so that it couldn't be removed and blunted the end of the knife, making it harmless.

Lesson Seven: Review

Objective

Students will review the information they have learned.

Resources

3x5 notecards from previous lessons

Procedures

Select five to ten pieces of information students wrote on their index cards for the unit. Break the class into groups of three to five. Redistribute the cards so that each group has at least three pieces of information. It is fine if groups have similar information. Each group should brainstorm three other things they learned during the last several days and write them on blank cards. The group will be responsible for making sure everyone in the group remembers the six pieces of information or things they have learned. Each group should be prepared to explain their information to the class. They will only be expected to explain one card, but they cannot repeat information that another group has mentioned.

Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

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REASONS FOR COMING TO AMERICA

Our Constitution is a written plan that says what our national government should do. It also says how our government is to be organized and run. The Constitution describes what members of our government can and cannot do. It is the highest law of the land. Everyone must obey this law, even the President. Although the Constitution was written over 200 years ago, it has been changed (amended) only 27 times.

The Constitution limits the power of government and helps keep the government from violating our rights. The rights it guarantees are similar to the rights and freedoms that attracted people to the colonies.

The first European settlers came looking for a better life. Some came because they wanted land. Some came because they had no jobs. Others came looking for religious freedom. Sometimes they came instead of spending time in prison.

North America was not empty when Europeans arrived. The Native Americans had come to North America 35,000 years earlier. They probably came from Asia hunting for food. People from Europe and Africa came much later, about 500 years ago. Most Africans did not want to come here. They were brought as slaves.

WHAT DO YOU THINK?

Listed below are seven reasons for coming to America.

1. More abundant food
2. Greater employment opportunities
3. More freedom to practice their religion
4. Oportunities to make their lives better
5. To avoid prison
6. Forced to come here
7. More land available

What rights do you think the people who came here wanted to have in their new country?

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Student Handout 3-3

A VISITOR FROM OUTER SPACE

It is the year 2020, and you are living a settled, prosperous life. You are quietly watching television with your family when a special news bulletin comes over the TV station. You immediately see that this is not the normal type of news bulletin because there is what looks like a very strange creature on the screen—the only thing which is familiar is that it is speaking in English. It tells you that it and its people have gained control over all of the communication networks in the United States and that everyone had better pay attention to what it has to say. You change the channel and, just as it said, there it is on every station. It begins to speak very loudly, and you gather your family around because you are beginning to worry about what it is going to do. Its speech is as follows:

> My name is STHGIR and I am from the planet NOITUTITSNOC in another galaxy where the inhabitants are far superior to the beings on this planet EARTH. Just as we have gained control over the communications of the United States, we have the ability to take complete control over every one of your lives. We do not want a war between our planet and yours, but we do want to control some things so that we can live in peace and harmony with you. We have looked at some of your laws and the way your government operates and have found it to give too much freedom to the individual. Therefore, we are going to conduct a survey to try and arrive at a decision with which both you and we are happy. As I have said, we do not want to take everything away from you—but we can't allow you to continue to live as you have in the past. Therefore, I am giving you a list of rights which you have according to your Constitution. You are to look over the list and decide which of the rights are more important to you. We will allow you to keep FIVE of the rights, the five which get the most votes from all the people of the United States. Choose five rights and be prepared to vote. If the vote is <u>not</u> unanimous (that is, if everyone doesn't agree) you will be given a short time to reach a unanimous decision. If you cannot, you will lose all of these freedoms.

_____ Right to keep and bear arms.
_____ Right to freedom of speech.
_____ Right to a lawyer.
_____ Right to protection from cruel and unusual punishment.
_____ Right to freedom of press.
_____ Right to a jury trial.
_____ Right to freedom of religion.
_____ Right to peacefully assemble.
_____ Right to privacy.
_____ Protection from self-incrimination.

From Working Together: We the People *©1992 by Constitutional Rights Foundation Chicago. Adapted from* Responsibilities and Rights in Schools, *1978, by Donald P. Vetter and Linda Ford of the Carroll County Public Schools, Westminster, MD 21157.*

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INTERVIEW WITH AN IMMIGRANT

Suggested questions:

1. Where and when were you born?

2. When did you come to the United States?

3. Why did you come?

4. What do you miss most about your country?

5. What do you like best about this country?

6. Are there any rights you have here that you did not have in your former country? Are there any rights you had in your former country that you do not have here?

7. Did anything surprise you about the United States?

8. If you had to choose only five rights in the Visitor from Outer Space activity, which ones would you choose and why?

9. Do you think violence in the United States is a problem? How does violence here compare to violence in your country? Do you have any suggestions on how to solve the problem of violence?

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PROCEDURES USED IN SALEM WITCHCRAFT TRIALS

Evidence: The Court believed that the Devil could take the shape of a person and harm others. A person whose shape was used by the Devil was guilty of witchcraft. The Court only needed to hear one person say he or she saw the accused person commit an act of witchcraft in order to decide the accused person was guilty of witchcraft. A wart or other unusual mark, known as The Devil's Mark, on the accused's body was also evidence of witchcraft.

Confession: If you were accused of being a witch and admitted being a witch, you had a better chance of not being punished as severely. If you denied being a witch, you were assumed to be guilty.

Right to Counsel (an attorney): The accused witch did not have an attorney.

Right of Appeal: The convicted witch could not get another court or judge to give her or him another trial.

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THE CASE OF SARAH GOOD

Salem Village, March 1, 1692

The Cast:

Narrator—Nar.
Sarah Good—S.G.(Accused of being a witch)
John Hathorne—J.H.(Prosecutor)
Jonathan Corwin—J.C.(Prosecutor)
Dorothy Good (Sarah Good's eight-year-old daughter)
William Allen (Neighbor)
William Good (Sarah Good's husband)
Samuel Abbey (Neighbor who helped them when they first came to town)
Sarah Gadge (Neighbor)
Susanna Sheldon (Friend?)
Ann Putnam (Friend?)
Tituba (Accused of being a witch, too)

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Nar. You are about to listen to the examination of Sarah Good before John Hathorne and Jonathan Corwin, both serving as prosecutors for the church and town.

J.H. Sarah Good, what evil spirit are you familiar with?

S.G. None.

J.H. Have you made a contract with the Devil?

S.G. No.

J.C. Why do you hurt these children?

S.G. I do not hurt them.

J.C. Who do you use to hurt them, then?

S.G. I use no one. I am falsely accused.

J.H. Why did you leave Reverend Parris' house muttering?

S.G. I did not mutter. I just thanked him for the food he gave my children.

J.H. Have you made a contract with the Devil?

S.G. No.

Nar. At this point, Hathorne asked the girls to look at Sarah Good and see if she was the person who hurt them. The girls looked at her and said that she was the one who hurt them. The girls began to shake and scream.

J.H. Sarah Good, look what you have done to these children. Why do you hurt them?

S.G. I do not hurt them.

J.H. Then why are they screaming?

S.G. How do I know? Maybe it was one of the others you brought in here that hurt them.

J.C. Who do you think hurts them?

S.G. Sarah Osburne.

J.C. What is it that you mutter when you go away from people's houses?

S.G. I say my commandments.

J.C. What commandments?

S.G. Well, not commandments, a prayer.

J.C. What prayer?

Nar. Sarah muttered something that no one could understand.

J.H. Who do you serve?

S.G. I serve God.

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J.H. What god do you serve?

S.G. I serve the God that made heaven and earth.

— Intermission and Discussion —

Nar. After Sarah Good had been questioned, several people gave evidence against Sarah. Let's hear what they had to say.

Dorothy Good, Age 8:

My mother, Sarah Good, is a witch. She keeps three birds in our house. One is black; one is yellow; and one is another color, I can't remember. I have heard my mother tell these birds to go out and hurt the girls, and the birds do it. Sometimes she goes out and hurts them, too.

William Allen:

On the night of March 1, I heard a strange noise out my door. I went out and looked around. I saw a very unusual beast lying on the ground. It was making terrible sounds. When I walked up to the beast, it vanished. Where the beast had been, I saw three women standing. They were Sarah Good, Sarah Osburne, and Tituba.

On the night of March 2, Sarah Good appeared before me in my bedroom. She had an unusual light with her. She sat on the foot of my bed. I kicked her very hard, and she vanished.

William Good, Sarah's husband:

On the night of February 27, I saw a strange wart on my wife's right shoulder. I had never seen it there before. I believe that it was the devil's mark. I asked Goodwife Ingersoll to look for it when she searched Sarah at the jail.

Samuel Abbey:

Three years ago, William Good and his wife, Sarah, were so poor they had no place to live. I took pity on them and let them live in my house. Sarah was so mean and spiteful that my wife and I could not stand it. We told her she would have to leave. Sarah became angry. She threatened to get back at us. The next

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winter, we lost several cattle in a most unusual manner. They just wasted away, even though they got plenty to eat. We also lost many sheep and hogs in the same manner. I believe that they were bewitched by Sarah Good.

Sarah Gadge:

Two years ago, Sarah Good came to my house. She wanted to come inside, but I would not let her. I knew that she had been with people who had been sick with smallpox, and I did not want her to contaminate my family. Sarah Good began to mutter. She said that she would hurt my family if I would not let her in. I told her to go away. The next morning, one of our cows died in a sudden and terrible manner. I think Sarah Good put a spell on it.

Susanna Sheldon:

I was tortured by the shape of Sarah Good. She bit me, pinched me, and stuck me with pins. Once she got me by the neck and nearly choked me to death. She is hurting me right now. I know that she is a witch.

Ann Putnam:

On February 25, the shape of Sarah Good came to me and began to torture me. She pinched me, stuck me with pins and tried to get me to write my name in the Devil's Book. She has tortured me many times since then. I have also seen her torture the bodies of Elizabeth Parris and Abigail Williams.

Tituba:

Sarah Good hurt the children. She wanted me to hurt them too, but I said no. Sarah Good was so strong that she pulled me to Mr. Putnam's house and made me hurt Ann.

One night, Sarah Good came into my house when my husband and I were praying. She had an evil spirit in the form of a yellow bird in her hand. The bird was sucking the skin between her fingers. She also had a cat and a black, hairy beast.

Another time, Sarah Good came to me in the shape of a wolf. She told me that she was going to hurt the girls by biting them.

I know that Sarah Good is a witch. I saw her name in the Devil's Book the day that she was arrested.

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QUESTIONS FOR THE CASE OF SARAH GOOD

1. Why do you think Dorothy Good said the things she did about her mother?

2. Look at what each of the other witnesses said. Is there any evidence that you think should be believed? Why do you think these witnesses said what they did?

3. The majority (almost all the people in the town) tried to protect themselves by denying certain rights to a minority (the accused witch). What were they trying to protect? What were they afraid of?

4. Look back at the rights the Visitor from Outer Space wanted us to choose from. What rights do you think Sarah Good would most want to keep?

5. Sarah Good was convicted of being a witch. She was executed on Tuesday, July 19, 1692. Do you think Sarah Good received a fair trial? Why or why not?

6. Look at the Procedures Used in the Salem Witchcraft Trials. Would those who prosecuted her think Sarah had a fair trial?

7. Could this happen to Sarah today? Why or why not?

8. Look at the rules for mediation. Is this a good case for mediation? Why or why not?

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SACRED BLADE AT HEART OF SCHOOL DISPUTE

Fifth grader Rajinder Singh Cheema was playing basketball on the school playground. He had the ball and jumped up toward the hoop aiming for the basket. His shirt slid up. Under his shirt was a small knife strapped to his chest in its case. The school in California had a rule that said no weapons were allowed.

When the principal asked him why he brought the knife to school, Rajinder explained that it was part of his religion. Rajinder is a Sikh, a religion founded in India 500 years ago. There are about 100,000 Sikhs in the U.S.

The knife (called a *kirpan*) symbolizes the religious duty to help people in need. It's a sacred symbol. When Rajinder was baptized, he was told not to pull it out and never to hurt anyone. The kirpan, a curved, dull-edged dagger worn in a case, hangs around Rajinder's neck under his clothing. The kirpan is supposed to remind the Sikhs of their religious duty to defend people who can't defend themselves. It is about as sharp as a dull knife.

The principal is in charge of enforcing a school rule. The rule says no one may bring a weapon to school. The purpose of the rule is to help keep the school peaceful and safe for everyone. Many parents are worried that their children could be hurt if weapons are allowed in school.

Should the principal allow Rajinder to wear his kirpan?

In groups of two to four, write down what Rajinder's parents want and what other parents want. Now imagine you are the principal of the school and you have been asked to mediate between Rajinder's parents, who want him to wear the kirpan to school, and other parents, who are worried that their children could be hurt or could think that the "no weapons" rule doesn't have to be obeyed.

Make a list of the things that all of the parents might be able to agree about. Be ready to share your ideas with the rest of the class and to participate in a mediation simulation. Can a plan be developed to satisfy all of the parents?

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Unit IV

Working Together to Make Laws: The Legislative Branch

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Unit IV
Working Together to Make Laws:
The Legislative Branch

Introduction

This unit focuses on the legislative branch of government's activity of lawmaking at both national and local levels. Students will focus on the example of weapon control to examine how law-making bodies function, the effects of citizen involvement in promoting the general welfare, and ways to analyze a public policy issue. While exploring the example of weapon control, students will be involved actively in poll-taking, mediating, analyzing public policy, and participating in a legislative simulation.

Objectives

Students will:

- identify the functions of national, state, and local law-making bodies as they address public safety
- explain how the legislative branch expresses the consent of the governed
- individually and cooperatively conduct a poll on violence and public policy about gun control
- practice mediating a dispute over midnight basketball
- engage their peers in a constructive conversation about gun control, during which they will consider opposing views, apply democratic values, and anticipate consequences for their actions
- express a position on gun control and justify the position with reasoned arguments

Resources

Student Handouts

Student Handout 4-1 — What Is the Legislative Branch?
Student Handout 4 2 — Legislative Branch Study Sheet
Student Handout 4-3 — No Weapons Allowed
Student Handout 4-4 — Poll — What Do You Think?
Student Handout 4-5 — Poll Results
Student Handout 4-6 and/or 4-6a — Arguments For and Against Gun Control Laws
Student Handout 4-7 — Senator Smith Legislative Hearing
Student Handout 4-8 — Senator Smith Has to Decide
Student Handout 4-9 — Basketball in the Park
Student Handout 1-2 — Evaluating Rules

Materials Needed

pp. 81-84 from *We the People*, ©1988 Center for Civic Education
Student Journals
self-stick notes

Suggested Resource Persons

Principal (or other school administrator)
Police officer
Attorney(s)
Legislator

Lesson One: What Is the Legislative Branch?

Objective

Students will learn how the legislative branch of the federal government is organized.

Resources

We the People pp. 81-84 (©1988 Center for Civic Education)
Newspaper or magazine articles about the activities of the legislative branch of government
Student Handout 4-1 — What Is the Legislative Branch?
Student Handout 4-2 — Legislative Branch Study Sheet

Procedures

1. Have the students read **Student Handout 4-1** (What Is the Legislative Branch?) and the background information on the legislative branch in CCE's *We the People*. Have pairs of students select the information they think they should remember, writing five important facts or creating a cartoon strip to illustrate those facts.

2. Ask students to find an article in the newspaper or magazine that explains something Congress is doing. They should be prepared to explain or illustrate the important information to the class.

3. Have students complete **Student Handout 4-2** (Legislative Branch study sheet).

Answers to Handout 4-2

1. bill
2. vetoing
3. terms of office
4. proportional representation
5. overriding
6. districts
7. Senators
8. separation of powers
9. checks and balances
10. federal

4. You may want to take this opportunity to elect representatives to review class complaints and suggestions regarding class rules. The comments could be put in a box and representatives could be given time once a week to review the comments and make recommendations to the class for change. Discuss the structure and the qualifications for class representatives. Questions to discuss include:
   a. Should there be one representative from each row or table? (similar to district or precinct)
   b. Should there be an equal number of boys and girls?
   c. Should only students who are at least 10 be able to run? (similar to age requirement of elected officials — 25 for a U.S. Representative, 30 for a U.S. Senator)
   d. Should we make sure that all different kinds of students are represented?
   e. Should the election be limited to popular students? (similar to politicians' public image campaigns)
   f. Should our representatives agree with what we believe? What if they decide something we don't like?
   g. Should we have representatives of special-interest groups? (A good opportunity to talk about the protection of minority rights vs. the will of the majority)
   h. Should the students have to be nominated by someone or could they volunteer to run?
   i. Should we have only the students with high grades represent us? (similar to Jefferson's "natural aristocracy")
   j. How long should they serve? (term of office)
   k. Should a person be removed for improper conduct? What is improper conduct? (similar to impeachment proceedings)

5. Compare the qualifications for members of the U.S. Senate and U.S. House of Representatives to the qualifications students developed for their representatives. How are they similar? How are they different? To answer this question, look at a copy of the Constitution. Find Article I, Section Two. Read the qualifications for members of the House of Representatives. To find the qualifications for Senators, read Article I, Section Three.

Lesson Two: No Weapons Allowed

Objective

Students will learn how to interpret and critically analyze a law, using the "Evaluating Rules" criteria established in Unit I. Students will learn that good laws, like good classroom rules, are challenging to write.

Resources

Student Handout 4-3 — No Weapons Allowed
Student Handout 1-2 — Evaluating Rules
Principal, School Administrator, Attorney, Legislator, and/or Police Officer
Student Journals

Procedures

1. Read the first paragraph of **Student Handout 4-3** (No Weapons Allowed) to the class.

2. Choose four or five students to become a human graph for each of the six cases. Draw a chalk line on the board as marked below:

1	2	3	4	5
Strongly Agree	Tend to Agree	Undecided	Tend to Disagree	Strongly Disagree

   Explain to the class that you will describe several situations. Members of the human graph will react to each by standing in front of the number on the graph that corresponds with their opinion of whether or not they believe the situation violates the law.

3. Tell the class that the members of the human graph are not allowed to speak, so the class will have to interpret their thoughts for them.

4. Read the first case on **Student Handout 4-3** out loud. Ask the human graph members, "Do you agree or disagree that this would violate the law?" Allow time for human graph students to understand the statement and react by physically moving to a position on the line.

5. Now ask the rest of the class to give reasons why they think students have taken those positions. You may choose to let the human graph students explain their position after all of the students have commented. Human graph students are allowed to change their positions at any time if they hear arguments that they find persuasive.

6. Repeat the activity using statements #2 through #6 on **Student Handout 4-3**. Select different students to act as the human graph for each statement. You or the resource person may wish to add other "weapons" (slingshots, Swiss Army knives, etc.) to the discussion.

7. To debrief, you or the resource person should ask the following questions:

   a. Use **Student Handout 1-2** (Evaluating Rules) to answer the following questions: Does the no weapons rule need to be changed? Why or why not? If so, how?
   b. Would the teachers, principal, students, parents, and/or surrounding community of Fairlaw School like the rule? Why? Why not?
   c. What are some rules you think schools should have to make them safer?
   d. Who can help make schools safer? (Teachers, administrators, police, parents, students, etc.)
   e. What can they do?
   f. What can you do?

8. In groups of three or four, have students attempt to rewrite the rule to make it clearer and to include proposed consequences. Decide whether the consequences should be posted on the "No Weapons Allowed" sign.

9. Journal Writing Assignment: Have students write their answers to questions 8c, d, e, and f.

Lesson Three: What Do People Think?

Objective

Students will come to understand the meaning, process, and usefulness of polltaking by surveying their schoolmates.

Teacher Background

Many cities have laws which try to stop weapons (guns) from being used by criminals. How were these laws made? If people voted for everything, they would have no time to do anything but vote. Instead, they vote for people, called legislators, to make laws for them. In most cases, it takes a majority of legislators (1/2 of those voting plus 1) to pass these laws. How do legislators know whether their constituents support a particular law or oppose it? One method used by many is opinion polling.

An opinion poll is a tool that allows us to look at how people think about an issue or even a candidate. A poll can serve as a springboard for a discussion; provide feedback on values, attitudes, and beliefs; serve as motivation for later study by creating interest in the topic; and help test ideas before deciding on a course of action. Sometimes legislators use polls to find out what the voters think about an issue. Voters may be asked to respond to a telephone survey. In other cases, a local lawmaker may mail the survey to homes in the district or place one in the local newspaper and ask the voters to complete the survey and mail it back.

At election time, many polls are taken to learn people's opinions about candidates and issues. News reporters often quote the polls and then interpret the results. After poll results are tabulated, questions that may be answered include:

- What important points do the data reveal?
- Are the results different from what was expected?
- What conclusions can be drawn?
- What recommendations can be made?

In this lesson, students will conduct an opinion poll on the issue of gun control to learn what their peers think. Later, they will role play a scenario in which a legislator must confront this issue and decide how best to represent his or her constituents.

Resources

Student Handout 4-4 — Poll — What Do You Think?
Student Handout 4-5 — Poll Results
Self-stick notes
Student Journals

Procedures

Note: Students will be polling at least two other students in this activity (one older, one younger) in addition to responding to poll questions themselves. Make enough copies of the poll so that students have one copy for each person polled. For example, a student polling themselves, a younger student, and an older student would need three copies of the poll. Students will also each need three copies of ***Student Handout 4-5*** *(Poll Results) so they can tally each grade on a separate sheet.*

1. Share the information in the Teacher Background with students. Ask students if they can identify their local lawmakers. How would they go about finding this information? Encourage a number of responses. You may want students to complete research about their local government. How do lawmakers decide how to vote on issues? Tell the students that sometimes they take a poll to find out how the people in their community want them to vote. Remind students of their prior polling experience, when they interviewed potential voters about issues in Unit I.

2. Review the questions on the poll (**Student Handout 4-4**) to make sure students understand them. Have students circle their gender and grade. After students complete their responses to the poll questions, collect all of the polls and redistribute them. Ask the students to look at the poll they now have and record the vote on the self-stick notes. Each self-stick note should include the following information: Question Number; Boy or Girl; Yes or No. Ask all those who have polls answered by girls to line up first. Using a large sheet of paper with the headings below, have students place their sticker in either the yes or no column, depending on what their poll says. Next, have the boys' responses placed on the paper or classroom wall. Repeat process for questions two and three.

   Example: Question 1—Do you think there is too much violence in this city?

5th GRADE POLL

GIRLS—YES	GIRLS—NO	BOYS—YES	BOYS—NO
TOTAL	TOTAL	TOTAL	TOTAL

3. Have the class tally the responses for the three questions (**Student Handout 4-4**) and make some generalizations about the results of each question. For example, ask them to think about what the majority of the class believes or does not believe. They can also think about how girls' and boys' responses differ.

4. You may wish to have the students in groups figure percentages for each column, with each group assigned one problem. Groups can report their findings to the class and use this information in Unit VII, as they think about a service project for the school.

5. Tell the class that you want them to ask other students what they think. Perhaps they can all take the poll (**Student Handout 4-4**) out to recess or to lunch. You may want to ask other teachers if your class can interview their students during classtime. Once the polls have been completed, repeat the process in step 2. Fill out and tally the responses for the younger students and the older students (**Student Handout 4-5**). Make bar graphs for each question and ask the students to make some generalizations. Compare age groups for each question. Does age make any difference? Look at boys and girls. Do boys and girls agree more or less in other grades?

6. Tell students that they will now think about what safety problems occur most at their school, and where they happen. Have students design a map of their school, perhaps with small groups assigned to draw different areas of the school. This activity can be developed into an important map-making exercise, if time permits. Place a composite map on the wall or board at the front of the class.

7. Have students discuss what safety issues are most prevalent at their school. Possibilities include bullying, fights, rumors, name-calling or bad language, and cutting in line. Try to get students to reach a consensus on the four most important problems. Assign each problem a marker color, and have each student place a dot on the map where each problem occurs. They may place more than one dot of each color on the map.

8. When this step is complete, discuss the final picture with students. Where are the most dots of each color? What might this tell them about the problems? Are there any trends or clusters of dots that surprise them? Which problems and areas seem the worst? Do they think they might get a different picture if they had students of other ages perform the same activity? Why or why not? Tell students that they will use this map again later when they work on projects to reduce violence in their school.

9. Journal Writing Assignment: Have the students write the generalizations they drew from the poll and the map in their journals so that the information can be used after the next lesson. This might be a good time for students to consider the use and accuracy of polls. Students may also consider how they could address some of the school safety issues raised by the poll.

Note: Be sure to keep a copy of the poll results, since students will be using them as the basis for planning and executing a service learning project in Unit VII.

Optional: Some classes have used this activity to build graphing and math skills. Students can graph the results of their poll using computers or graph paper. They can use the graphs to compare boys' and girls' responses, or responses at different age levels. You may wish to have them calculate the percentage of students giving particular answers.

Lesson Four: Arguments For and Against Gun Control Laws

Objectives

Students will:

- discuss and understand popular arguments for and against gun control laws.
- summarize their poll results and their own opinions in letters to a legislator.
- engage their peers in a constructive conversation about gun control, considering opposing views, applying democratic values, anticipating consequences, and working toward a decision.

Resources

Student Handout 4-6 or 4-6a — Reasons For and Against Gun Control Laws

Procedures

1. Explain to students that everyone has reasons for what she or he believes. It is always helpful to understand why someone agrees or disagrees with you. It is also very helpful for people who make the laws to understand why people feel the way they do about the laws. In pairs, using **Student Handout 4-6**, have students decide which arguments are for gun control laws, and which are against gun control laws. Check to make sure the students have correctly identified the arguments.

   Answers to Student Handout 4-6: 1.(A), 2.(F), 3.(A), 4.(F), 5.(F), 6.(F), 7.(F), 8.(A), 9.(A), 10.(A), 11.(A), 12.(F)

   If this task appears to be too difficult, substitute **Student Handout 4-6a**. Half of the class may be assigned to the "pro" group and the other half to the "con" group. Then, divide these groups into pairs and have students master the arguments for their side. Ask them to pick out the best, most powerful arguments and be prepared to share them with another group. Combine into groups of four (two for handgun control, two against). Ask them to discuss whether they think there should or should not be gun control laws and to list the two best arguments supporting their position.

2. Starting with the generalizations developed by the poll, have students write a letter to their local legislator summarizing the results of the poll and indicating whether they agree or disagree with the majority of their class and why (ask them to pick one or two arguments from the handout that support their position). Send selected letters to their legislator asking for a response either in person or by letter. Include a copy of the three questions and poll results. Ask him/her to answer the following questions:

- Are you for or against stricter gun control laws in our community?
- How do you think citizens feel about this issue, and how much does this influence your vote?
- What methods do you use to find out what the people in your district think?

Lesson Five: Senator Smith Has to Decide

Objective

Students will understand and role play differing perspectives on the Brady Law.

Teacher Background

The Brady Law: Title I

How the Brady Law works:

- The Brady Law establishes a national five business day waiting period. The waiting period applies only to handgun sales through licensed dealers.
- Within one day of the proposed transfer, the dealer is required to provide information from the purchaser's statement to the chief law enforcement officer where the purchaser resides. The statement, (verified by some form of photo identification), must include the purchaser's name, address, date of birth, and the date the statement is made.
- Unless law enforcement notifies the dealer that the sale would violate federal, state, or local law, the sale may proceed five business days after the purchaser signs the statement.
- Handgun transfers may take place in fewer than five days if the chief law enforcement officer or his/her designee notifies the dealer that the officer has no information indicating the receipt or possession of the handgun by the transferee would violate federal, state, or local law. If the sale is denied, police must respond, within 20 business days, to any request for a written explanation.
- Unless the sale is prohibited, the local law enforcement chief is required to destroy his/her copy of the statement and any other record of the transaction within 20 business days.

Creation of a nationwide "instant" criminal background check:

Five years after enactment, the five business day waiting period will be replaced by a national "instant" felon identification system to be used by dealers in screening all gun purchasers. $200 million in Department of Justice assistance is authorized for the computerization of state criminal records and the linking of those records to the national system.

States exempted from waiting period:

The Brady Law does not apply to handgun purchases where state law requires that an authorized government official has verified that the information available does not indicate that the sale would violate the law, either through a permit-to-purchase or "instant check" system.

Individuals exempted from waiting period:

Should an individual require access to a handgun because of a threat to his/her life or the life of a member of his/her household, local law enforcement may waive the waiting period.

Title II

Requires that dealers notify state or local law enforcement of multiple sales of two or more pistols or revolvers in any five consecutive business days to an unlicensed person. Also requires that any state law enforcement agency destroy all records of the transaction within twenty days and must certify every six months that such records have been destroyed.

Title III

- Prohibits common or contract carriers from requiring that an identifying tag or label be placed on any shipment that contains a firearm.
- Requires that any common or contract carrier obtain written acknowledgment of receipt from the recipient of a package containing a firearm.
- Makes theft of a firearm from a federal firearms licensee a federal crime punishable by a fine of up to $10,000 and imprisonment up to ten years.
- Increases fee for a gun dealer license to $200 for 3 years, and renewal of the license to $90 for 3 years.

The Brady Law went into effect on February 28, 1994, and was challenged in the Supreme Court in 1997. The Court ruled that the federal government could not make the states do a background check. The federal government had to do it or provide the states with adequate help.

Watch our web page (http://www.crfc.org) for updates. Additional perspectives can be obtained from Handgun Control, Inc. (1225 Eye St., NW, Ste. 1100, Washington, DC 20005; 202/898-0792; http://www.handguncontrol.org) or the National Rifle Association (703/267-1560; http://www.nra.org).

Resources

Student Handout 7 — Senator Smith Legislative Hearing
Student Handout 8 — Senator Smith Has to Decide
Legislator

Procedures

1. Read the Teacher Background on the Brady Law. The law Senator Smith will address is very similar.

2. Conduct the Senator Smith legislative hearing. For the activity, your class should be divided into groups of three to five students. One group should take the role of Senator Smith and his/her staff members. The other groups should represent people in Senator Smith's state: The National Rifle Association, Gun Dealers, Police, Mothers Against Handguns, and the American Medical Association.

3. Each group should read Senator Smith Legislative Hearing (**Student Handout 4-7**) as well as the story Senator Smith Has To Decide (**Student Handout 4-8**) and answer the questions that follow it.

4. After all groups have finished, the class should hold a public hearing. Each group should tell Senator Smith whether they support or oppose the bill and why. Senator Smith should discuss the problem with her/his staff and decide what to do. Either have the class watch as they deliberate or let them deliberate in one corner of the room. The other groups could reassemble and discuss how they think the Senator will vote.

5. Senator Smith and his/her staff should explain their decision to the class. A guest legislator could discuss available options, considerations in making the decision, and any recent real-life hearings on related topics.

6. Ask students: What are the names of the U.S. Senators in your state? Who represents you in the U.S. House of Representatives? If the students don't know, ask where they might find this information. Potential resources include the library, phone book (under federal government), the League of Women Voters, Democratic and Republican party offices, and the World Wide Web. Encourage a variety of responses.

Lesson Six: Basketball in the Park

Objective

Students will practice mediation skills as they role play a situation that might be encountered by a local legislator.

Teacher Background

All legislators receive complaints. Passing a law is not the only way to resolve those complaints. Mediation is another way legislators can help resolve conflicts in their communities. Students will have the chance to practice their mediation skills to help the people solve their problem.

Resources

Student Handout 4-9 — Basketball in the Park
Legislator
Student Journals

Procedures

1. Set up the class to conduct a mediation session based on **Student Handout 4-7**. Divide students into groups of five or six. Assign the roles of mediator(s), neighbors in favor of basketball in the park, and neighbors opposed to it. Give students time to read and prepare for the mediation. Have mediators work together to review steps of the mediation process while students prepare their needs and wants.

2. Conduct the mediations. If a resource person is available, s/he may circulate between groups and help students prepare their positions. After groups have agreed on their solutions, these should be shared with the whole class. The resource person may comment on the choices made and/or the process used, as well as situations in which s/he has chosen to mediate rather than legislate.

3. Journal Writing Assignment: Have students evaluate the mediation process by writing about the activity in their journal. Were the mediators able to find a win-win solution? Why or why not?

Student Handout 4-1

What is the Legislative Branch?

The Branches of Government

The United States government has three parts, or **branches**. Each branch of government has a job to do:

- the **Legislative Branch** makes the laws
- the **Executive Branch** enforces the laws
- the **Judicial Branch** interprets the laws

When the U.S. Constitution was written, the powers and responsibilities of government were divided among the three branches. This **separation of powers** keeps each branch from having too much power. The people who wrote the Constitution thought that the King of England had too much power over the government and the people. They did not want this to happen in our new government. The writers of the Constitution gave each branch ways to stop actions of the other branches. They hoped this system of **checks and balances** would protect the freedoms of the American people.

You will learn about the jobs of the Executive and Judicial Branches later. Today, you will learn about the Legislative Branch.

The Legislative Branch

National, state, and local governments can all have Legislative Branches. The Legislative Branch of the national, or **federal**, government is called **Congress**. It has two Houses: the **Senate** and the **House of Representatives**. Every state has two Senators, who are elected by all of the voters in their state. A Senator's **term of office** is six years, but the voters can reelect a Senator as many times as they want. The House of Representatives has **proportional representation**. This means that states with more people have more Representatives. Representatives are elected by the voters from a part, or **district**, of their state. Right now, there are 435 members of the House of Representatives. Their term of office is two years, but the voters can reelect a Representative as many times as they want.

How does Congress make laws? First, a member of Congress must write a **bill**, which is a proposal for a law. Then the bill must be approved by a majority (half of those voting, plus one) of each House. The bill then goes to the President. If the President signs the bill, it becomes a law. If the President **vetoes**, or rejects, the bill, it does not. This is the President's main check against the powers of Congress. A vetoed bill can be voted on again by Congress. If 2/3 of the people in the Senate and the House of Representatives vote for it, the veto has been **overridden**. The bill is now a law, even without the approval of the President. This is a check Congress has against the President's power.

Members of the Legislative Branch also act as leaders within their communities. Part of their job is to listen to their **constituents** (the people they represent) and help them solve problems. They can do this by writing bills, by talking with other members of the government, or by acting as mediators.

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Student Handout 4-2

Legislative Branch Study Sheet

Using Handout 2, complete the following. Write the correct term in the blank. Choose one of the words or phrases below for each blank.

bill	checks and balances	districts	federal
overriding	proportional representation	Representatives	Senators
terms of office	separation of powers	vetoing	

1. When a law is proposed in Congress, it is called a _____.
2. The President can stop the bill from becoming a law by rejecting, or _____ it.
3. Senators are elected for a six year period. Representatives are elected for a two year period. Although these are different _____, voters can reelect Senators and Representatives as many times as they want.
4. In the House of Representatives, states with more people have more representatives. States with fewer people have fewer representatives. For example, Illinois has 20 Representatives. This is called _____.
5. Even if the President does not sign a bill, Congress can make it become law by _____ the veto if two thirds of both the Senate and House agree.
6. Each state is divided into Congressional _____ according to the number of people they have. People in these areas decide who will represent them in the House of Representatives.
7. Every voter in a state gets to vote for their two _____.
8. The three branches of government have different powers. This is called _____.
9. Each branch of government can stop certain actions by other branches. These _____ keep any one branch from becoming too powerful.
10. Our national government is also called the _____ government.

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Student Handout 4-3

NO WEAPONS ALLOWED

Increasing violence in schools has caused the state legislature to pass a law which says that if students bring weapons to school, they can be expelled, their parents can be fined, and they can even be automatically transferred to adult court and be sentenced to up to two years in prison. Lawmakers want to get tough on crime and help the schools become safer. The Fairlaw School Board is also concerned about the safety of their students and has asked the principal to make sure that students understand that they cannot bring weapons to school. At all the entrances to the school, the sign **"No Weapons Allowed"** has been posted. Should the law apply in the following cases? Keep in mind what the sign says — **"No Weapons Allowed"** — and why the legislators passed the law. What was their intent? What is a weapon?

1. Aaron, a fifth grade student, takes the city bus to school every day. On the bus, he is sometimes bothered by a group of older boys who take his lunch money and threaten to beat him up if he tells on them. He is so scared that he begins bringing a baseball bat to school, which he plans to pull out to scare the big boys with if they start to hurt him. Is Aaron breaking the rule?

2. Keisha always carries a pocket knife that her dad gave her. She is artistic, and uses the pocket knife to whittle small statues out of wood while she is waiting for the bus to go to and from school. Is Keisha breaking the rule?

3. Dejon brings a butter knife to school to use at lunch to spread tuna fish on crackers. Is Dejon breaking the rule?

4. Karen has to walk through a bad neighborhood to get to school. She doesn't worry too much because she is on the baseball team and carries a baseball bat to school with her every day. Is Karen breaking the rule?

5. Jasmine brings a water gun to school and soaks all her friends at recess. Is Jasmine breaking the rule?

6. Minh saves rubber bands. She likes to shoot them at her friends. Is Minh breaking the rule?

Created by Melissa Lumberg, Hilda Harris, and Charlotte Wager — all attorneys with Jenner & Block in Chicago — for one of the Constitutional Rights Foundation Chicago Constitution Program partnerships at James Ward School.

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Poll: What Do You Believe?

Teacher _____
School _____

Circle One: Boy

Girl

Circle One: Younger Students

Fifth Grade Students

Older Students

1. Do you think there is too much violence in this city?	YES	NO
2. Do you think guns are a good way to protect yourself?	YES	NO
3. Do you think we should have gun laws to make it harder for lots of people to get guns?	YES	NO

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Poll Results

Teacher _____
School _____

Circle One: Younger Students

Fifth Grade Students

Older Students

Question	Participants	Yes	No	Total
1. Do you think there is too much violence in this city?	Girls			
	Boys			
2. Do you think guns are a good way to protect yourself?	Girls			
	Boys			
3. Do you think we should have gun laws to make it hard for lots of people to get guns?	Girls			
	Boys			

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Student Handout 4-6

Reasons For or Against Gun Control Laws

2nd Amendment to the U.S. Constitution (Right to Bear Arms) — A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

In pairs decide which reasons are for (F) or against (A) gun control laws.

__1. People have always been able to own guns in our country.

__2. Guns are far more likely to harm members of the owner's household than offer protection against criminals.

__3. Gun control laws are hard to enforce. Criminals will still be able to get handguns even if they are illegal.

__4. The easier it is to get a handgun, the more likely it is that criminals will use them.

__5. Before we had police and sheriffs many people owned handguns for self-protection. Now it's the job of the police and sheriffs to protect us, and people don't need their own weapons.

__6. A person shot with a gun is five times more likely to die than a person stabbed with a knife.

__7. The U.S. Supreme Court has decided that the 2nd Amendment doesn't say that citizens have the right to own guns.

__8. The 2nd Amendment really means citizens have the right to own guns.

__9. The police aren't always around. People need their own guns for protection.

__10. Longer prison terms and the death penalty for criminals who use handguns would be more effective than more laws to control guns.

__11. There is no proof that handgun laws have reduced violent crime. This probably means that no one law can stop violence and killing. In fact, in places where citizens are permitted to carry guns, the crime rate is down.

__12. More people die because of handguns in this country each year than in all the other countries of the world combined.

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2nd Amendment to the U.S. Constitution (Right to Bear Arms) — A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Reasons to Support Handgun Control Laws

1. Guns are far more likely to harm members of the owner's household than offer protection against criminals.
2. The easier it is to get a handgun, the more likely it is that criminals will use them.
3. Before we had police and sheriffs many people owned handguns for self-protection. Now it's the police's and sheriffs' job to protect us.
4. A person shot with a gun is five times more likely to die than a person stabbed with a knife.
5. The U.S. Supreme Court decided that the 2nd Amendment doesn't say that citizens have the right to own guns.
6. More people die because of handguns in this country each year than in all the other countries of the world combined.

Reasons to Oppose Handgun Control Laws

1. Gun control laws are hard to enforce. Criminals will still be able to get handguns even if they are illegal.
2. The 2nd Amendment really means citizens have the right to own guns.
3. Longer prison terms and the death penalty for criminals who use handguns would be more effective than more laws to control guns.
4. The police aren't always around. People need their own guns for protection.
5. People have always been able to own guns in our country.
6. There is no proof that handgun laws have reduced violent crime. In fact, in places that allow citizens to carry handguns, the crime rate has gone down.

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Student Handout 4-7

SENATOR SMITH LEGISLATIVE HEARING

Making good laws is not easy. Members of Congress have to decide whether or not to support each bill. Some bills might help some people, but hurt others. The following activity will help you see how difficult it can be to decide whether to support a bill.

The U.S. Senate is going to vote on a gun control bill. The bill has a number of provisions that affect different groups of people in your state. One of your legislators, Senator Smith, is trying to decide how to vote on this bill.

How should Senator Smith vote? Pretend Senator Smith is going to visit your community to ask your advice on the problem described below. Your class should be divided into groups of three to five students. One group should take the role of Senator Smith and his/her staff members. The other groups should represent people in Senator Smith's state. Each group should read the handout SENATOR SMITH HAS TO DECIDE and answer the questions that follow it. After all groups have finished, the class should hold a public hearing. Each group should tell Senator Smith to either vote for or against the bill, and give reasons for its position. Then Senator Smith and his/her staff should discuss the problem, decide what to do, and explain their decision to the class.

Group #1 — Senator Smith and Staff

Undecided on how to vote. Senator Smith will be up for reelection next year and wants to win. The Senator also wants to make the state a safer place to live.

Group #2 — The National Rifle Association

Opposed to any bill that would limit the right of people to own guns. Their slogan is "Guns don't kill people; people kill people."

Group #3 — Gun Dealers

Opposed to any bill that would make it more difficult for them to sell guns. They think there are too many laws now.

Group #4 — Police

Many police groups favor gun control, however, several individual officers don't.

Group #5 — Mothers Against Handguns

Are in favor of any bill to limit the number of handguns on the street.

Group #6 — The American Medical Association

Are in favor of limiting the number of handguns on the street. They believe handguns are a major threat to health.

Student Handout 4-8

SENATOR SMITH HAS TO DECIDE

Senator Smith has to decide how to vote on this bill, which has a number of provisions. Should he/she vote against the bill because many of the people in his/her state believe its their right to own a gun? Should he/she vote for the bill because he/she believes it would help his/her district become safer?

PROPOSED BILL

To buy a gun from a licensed gun dealer, you must give your name, address, and date of birth, indicate whether you have ever been convicted of a serious crime, and include some form of photo identification. You must then wait 5 business days for a background check to make sure you have not been convicted of a serious crime.

If you want to buy a handgun because of a threat to your life or the life of a member of your family, the police do not have to require the waiting period.

If you steal a gun, you could be punished by having to pay $10,000 and being put in prison for up to ten years.

In five years, you will no longer have to wait 5 business days because there will be a national "instant" identification system used by gun dealers to tell if you have been convicted of a serious crime. It will cost $200 million to computerize state criminal records and link those records to the national system. The gun dealers will need to buy computer equipment to connect to this system.

Do you think Senator Smith should vote for this bill? Look at the arguments for and against handgun control and the information you gathered from the school poll. Use both to support whatever position your group must take.

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Student Handout 4-9

Your teacher will tell you what role you are to play. You will have a chance to meet with other students to brainstorm what you will say and do. Once you have done that, you will be part of a mediation session. Be ready to tell the class how you solved the problem. Can your group solve this problem?

BASKETBALL IN THE PARK

The legislator has been asked to come to a meeting of some concerned people in the neighborhood. The playground in the neighborhood has a basketball court. When the weather is nice, young people play basketball late into the evening during the week. Last year, a boy was shot while on his way home after a basketball game. Some neighbors want the legislator to get a law passed in the city council to stop the basketball games. Other neighbors want them to continue.

- **The legislator** wants to be reelected and wants what is best for the neighborhood.

- **Neighbors who want this to stop** think the basketball hoops should be taken down. They say there is too much noise. It is hard to sleep. The basketball attracts trouble-makers. It doesn't feel safe to walk around that area, especially since the shooting. People also leave broken bottles and garbage all over the area. These young people should be studying and getting enough sleep so that they are prepared for school.

- **Neighbors who don't want it to stop** think it's better for young people to have something fun and safe to do at night, such as play basketball. They say the noise is better than hearing noise from fights. It feels much safer to walk around the park. The people are either playing or watching, not just hanging around. There is always garbage on the playground. It's not because people are playing basketball. Stopping the basketball won't really help young people study or go to sleep earlier.

OUR SOLUTION IS: _____

_____

_____

_____

Signed

_____ _____

_____ _____

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Unit V

Making the Laws Work: The Executive Branch

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Unit V
Making the Laws Work:
The Executive Branch

Introduction

This unit focuses on the Executive Branch of government, whose members execute (carry out), or enforce, the law. Students will learn about local (the police and, perhaps, the mayor) and national (the Attorney General and the President) executive branches of government. Students will examine the role of the police, explore their relationships with police officers, and interact directly with local law enforcement officials either at a law enforcement facility or in class. Students then become a Safer Schools Task Force appointed by the mayor of a hypothetical community to determine the most cost-effective way to spend funding for improving school safety. The final lessons of this unit use the President of the United States as an example of executive authority at the national level. The lessons help students connect the duties of local executives (such as mayors and police officers) with the national executives (e.g. the president and departmental officials). The lessons reinforce the concept of checks and balances among the branches of government and the use of mediation to resolve conflict.

Objectives

Students will:

- identify examples of national and local Executive Branch duties and representatives
- evaluate the effectiveness of decisions made by individuals and institutions in enforcing the law
- engage each other in conversations in which they attempt to clarify and resolve public policy issues
- develop a budget for a hypothetical program by drawing graphs and analyzing cost effectiveness

Resources

Student Handouts

Student Handout 5-1 — The Village Gazette
Student Handout 5-2 — Police Call
Student Handout 5-3 —How Do You Feel? A Survey About Police and Community Relations
Student Handout 5-4 — Are You A Good Witness?
Student Handout 5-5 — My Police Report
Student Handout 5-6 — The Mayor's Speech
Student Handout 5-7 — Safer Schools Plans
Student Handout 5-8 — Pros and Cons Worksheet
Student Handout 5-9 — Safer Schools Budgets
Student Handout 5-10 — Graph
Student Handout 5-11 — Graph Directions
Student Handout 5-12 — Task Force Report Card
Student Handout 5-13 — Interview with An Alien
Student Handout 5-14 — What Do You Know?
Student Handout 5-15 — Presidential Advisors

Materials Needed

Chart paper or large newsprint
3x5 index cards
newspaper and magazines
Special Event Form (Appendix)
Graph Answers

Suggested Resource Persons

Police Officers
Attorneys

Lesson One: What Is the Executive Branch?

Objective

Students will become familiar with key duties of the Executive Branch of government.

Resources

Student Handout 5-1 — What Is the Executive Branch?

Procedures

1. Have students read **Student Handout 5-1**. Check for understanding.

2. Have students list some actions the handout says President, the Governor, and the Mayor took.

3. Tell students that it is the job of the Executive Branch of government to enforce, or carry out, the laws made by the Legislative Branch. It is their job to make their community, state, or nation work. How are the leaders in the handout carrying out laws or making the community work?

4. Leaders of the Executive Branch have other duties, too. They must act as leaders for their community. This can mean suggesting laws to the Legislative Branch that they think will make the community work better. They also communicate with residents of the community about their needs. What qualities do students think are important for a leader? What would help a person carry out these duties well?

Lesson Two: Local Executive Power — The Mayor

Objective

Students will think about and discuss the responsibilities of the local Executive Branch.

Resources

Chart paper or large newsprint

Procedures

1. Have students take a "mindwalk" through their school. Ask them to think about what happens during a typical day in school (bells ring, students go to specific places at specific times, etc). Have students in groups draw a map of their school, or refer back to their school map from Unit V, to help them think about what happens. Who is responsible for making these things happen? Have students describe on a piece of paper what a day is like at school. Have class discuss the following questions:

    - Who is responsible for the action described?
    - Who are the people the pupils see and what do they do? (People they may mention include teachers, teacher aides, counselors, lunch room staff, sanitary engineers, bus drivers, nurses, and the principal.)

2. Do the same thing for the immediate community. Have students in groups draw their community, including their homes. Have them think of people (other than their families) who help make the community work. Have they seen the fire department, the police station, a garbage truck, or a salt truck? Have the students seen people working to fix the streets or clean the sewers? Who is their "boss"? The head of the local Executive Branch has to make things work. In many cities, this person has the title of Mayor. In other communities, another job title may be used. For the lesson in this unit, we will use the title of Mayor for the head of the local government.

Note: Numerous resources on the World Wide Web can help your students map their community and place it in relationship to the rest of the city, state, or even world. Some of these resources are listed on the next page.

Community Mapping Resources

(Compiled by Constitutional Rights Foundation Chicago, June 1997)

THE WORLD WIDE WEB

The web is a great resource for maps and statistics. This is but a small sample of what is available. Some useful sites are:

Digital City **http://www.chicago.digitalcity.com/community/community.htm**
An excellent source for Chicago statistics. Clickable map of community areas allows you to pick a region and learn about its crime, health, housing, population, government, schools, causes of death, etc. Useful feature allows comparison between communities. Digital City sites also exist for a number of other metropolitan areas.

Chicago Mosaic **http://www.ci.chi.il.us**
Monthly crime statistics for Chicago Police Department districts. Also features a list of city agencies, phone numbers, and contacts.

American School Directory **http://www.asd.com**
Information on every school in the U.S. Provides detailed street maps of each school's community. Interactive Atlas feature allows you to create a map centered on any address in the U.S.

Maps on Us **http://www.mapsonus.com**
Very similar to ASD maps. Map can be centered on any address in the U.S.

U.S. Bureau of the Census **http://www.census.gov**
Very useful statistics are available at this site. Clickable maps allow you to view the demographics of a state, county, or city. Information is also available by census tract.

OTHER RESOURCES

Chicago City Hall, 121 N. LaSalle Floor 3M
This treasure trove will give anyone who stops by free maps, including ward and city maps. Additional copies of any map are $.25. Staff is extremely helpful.

Illinois State Board of Elections, 100 W. Randolph, 14th Floor
Another friendly (and free) source of city and state maps for congressional, legislative, and judicial apportionments.

Lesson Three: Police Experience Preparation

Objective

Students will prepare to learn about the police, a local department of the Executive Branch, either through a field experience or a visit by a police officer.

Resources

Student Handout 5-2 — Police Call
Chart paper or large newsprint

Procedures

1. Explain to students that the police are a part of the Executive Branch of local government. They help the head of the local Executive Branch, usually the Mayor, enforce the law.

2. In a large city like Chicago, the mayor is in charge of the Police Department and appoints its head with the approval of the city council (Legislative Branch). The Police Department's main job is to help people who are in trouble and to help people obey the law.

3. Have students list some of the characteristics of a good police officer in their journals. Using the chart paper, have students volunteer their ideas so that they can be combined into one big list that can be used with police officers. If you are not visiting the training academy, you can visit a local police station that will provide a resource person or invite a police officer to the classroom.

4. Explain to the students that they will get an opportunity to experience what it is like to be a police officer and that in order to prepare for this they will rehearse some typical situations police have to handle. Review the scenes on **Student Handout 5-2** (Police Call) that the students will role play so that they will begin thinking about what they might do or say.

Lesson Four: Meeting the Police

Objective

Students will learn about the responsibilities of police officers through interaction with officers.

Teacher Background

Police officers can provide students with examples of how the Executive Branch works at the local level and of positive role models. In Chicago, visits to the Police Training Academy can be arranged through CRFC. These field experiences teach students about the training and work of police officers while giving students an opportunity to have positive interactions with officers. In other locations, you can provide a similarly enriching experience by arranging a visit to a local police station or training academy, or by inviting officers to the classroom. The following activities, conducted by officers at the Chicago Police Training Academy, can be reproduced in police stations, the classroom, or at a community center. A neutral location may help establish better communication between students and police.

Resources

Student Handout 5-2 — Police Call
Student Handout 5-3 — How Do You Feel? A Survey About Police and Community Relations
Student Handout 5-4 — Are You a Good Witness?
Student Handout 5-5 — Your Police Report
Special Event Form (Appendix)
A Good Police Officer list
Attorney
Police officers

*Note: Make two copies of **Student Handout 5-3** (How Do You Feel?) for each student. Have them complete the first copy before interacting with the police, making sure they circle "pre-survey" and that they do not write their names on the survey. Their answers should be anonymous. After their experience, have them complete the second copy and circle "post-survey." It is important that these both be given on the day of this lesson, since only children who actually participate should take the survey.*

Procedures: Police Call

1. Introduce police officer(s) to the class. Present the list of characteristics of a good police officer. Review the characteristics with students. Add to the list if new ideas are presented and post these for use during the final phase of the lesson.

2. Divide students into groups of six or seven. Two students from each group will be selected to play the role of police officers. A police officer may be asked to work with this group of students to explain basic police procedure while the you and attorneys assist the groups who will act out the scenes given on **Student Handout 5-2** (Police Call) cards.

3. The resource person(s) should observe the role plays. Role plays can be conducted simultaneously or in front of the entire class. If role plays are conducted simultaneously, make sure that at least one "witness" from each skit is ready to explain what happened. After each role play is acted out, the police officer and lawyer may react to questions such as:
   - How typical was the situation?
   - Did the citizens behave realistically?
   - Did the police behave realistically?
   - Was this a crime call or a service call?
   - Were any laws broken?
   - Was anyone arrested?
   - Would it be helpful to have an attorney in this situation?

4. After all groups have role played and discussed their situations, the following questions may be considered:
   - What have you learned about police work?
   - How did it feel to play the role of the citizens/police officers?
   - How do you think fear affects police/community relations? (Think about the fear of both citizens and police.)
   - What do you think might be the hardest part of police work?

5. The students may have questions to ask the police officer and/or lawyer.

6. Have students look at the list of characteristics again. Are there any that they would change? Are there additions that should be made? How does the police officer feel about the characteristics listed? Which characteristics do the officers think the student "officers" exhibited? How does the attorney feel about the characteristics?

Procedures: Crime Scene

In this simulation, students encounter a crime scene mock-up. With the help of an officer, they can attempt to reconstruct a crime from physical evidence left behind at the scene. Children use critical thinking skills and problem-solving techniques and learn how these skills are used by police officers.

With the assistance of an officer and some creativity, this workshop could be transferred to the classroom. A portion of the room can become a crime scene, roped off from the rest of the room and scattered with pieces of "evidence" that tell the story of a crime. Knocked over chairs, keys, wallets, open telephone books, etc., can all be pieces to a puzzle for student detectives to piece together. The officer can solicit ideas from students as she or he gradually leads them toward the case's solution.

Note: There is no need for you to invent an elaborate mystery with a definite answer for students to solve. Interesting bits of evidence will enable students to construct their own stories of what might have happened. As in some police cases, they may never find out what "really" happened.

Procedures: Being a Good Witness

In this simulation, students learn the importance of close and accurate observation as they witness a "crime" in progress.

1. This simulation requires two adult volunteers (one of whom can be you) in addition to the resource officer. One volunteer, the victim (who can be you), should have a purse or backpack placed near the front of the room. The other volunteer, the criminal, should be out of sight of the classroom. The criminal should be in disguise, wearing a wig, or sunglasses, or a jacket which could later be tied around the waist.

2. The police officer should explain to students the importance of calling the police after witnessing a crime. The officer may mention that young people are the most likely victims of crimes. S/he may ask students about crimes they have witnessed, and what their responses were. The officer may also explain what constitutes a good witness (cooperation with police, accuracy, etc.).

3. During the officer's talk, the criminal should run into the room — perhaps yelling "Get down!" or "Nobody move!" — grab the purse or backpack, and run away. The officer should chase after the criminal.

4. The officer should return, saying that the criminal has escaped. S/he should claim that s/he did not see the criminal, and needs to get a description from the students. The officer should ask about traits such as clothing, sex, eye and hair color, complexion, height, weight, etc., as the victim writes the class consensus on the board. The students may need to be reminded to respond only if they know the answer, rather than guessing.

5. The officer should leave again, and return with the criminal. The criminal should have removed his or her disguise, but keep the disguise on his or her person. The criminal should also be carrying the purse or backpack. The officer can then compare the students' description to the criminal. When it has been established that the criminal does or does not match the description, the officer should release or "arrest" the offender.

6. The officer should debrief the students by emphasizing the importance of accurate description as well as the importance of calling the police about crimes.

OR

1. Use **Student Handout 5-4** (Are You a Good Witness?) drawing to test students' observational skills. Half the students will be witnesses, and the other half recordres. The witnesses should be allowed to look at the drawing for 15 seconds. When the 15 seconds are up, students should describe what they saw to the reporters. The reporters should write the witnesses observations on **Student Handout 5-5** and report what they "know" to the officer.

2. The officer and students can then compare what the students reported to what is actually on the picture. The officer should debrief the students by emphasizing the importance of accurate description as well as the importance of calling the police about crimes.

3. If the police officer can provide appropriate equipment, s/he may demonstrate fingerprinting on an overhead projector and discuss other ways of identifying a criminal without witnesses.

After the Experience

Have students complete their second copy of the survey form and their Special Event Form. Send the surveys or a summary of the results to CRFC for possible inclusion in our newsletter, *The Legal Circle*.

Lesson Five: Police Experience Follow-Up

Resources

Student Handout 5-2 — Police Call
Special Event Form (Appendix)
Student Handout 5-3 — How Do You Feel?

Procedures

1. Work with students to write class letters of thanks to the police officers or attorneys who assisted the students. They can incorporate their survey results, comments from their evaluation forms, and some characteristics of a good police officer exhibited by officers they met. In Chicago, students should write to:

   Chicago Police Training Academy
   1300 W. Jackson
   Chicago, IL 60607

   AND

   Office of the Superintendent
   Chicago Police Department
   1121 S. State Street, Room 400
   Chicago, IL 60605

2. Have students return to their "Police Call" groups. Revisit the scenarios on **Student Handout 5-2** and have students complete a mediation for each of the scenarios. Questions to consider:
   - Could these problems have been handled without a call to the police?
   - Did the police try to use mediation skills when they were called?
   - Were any arrests made in the scenarios?

Lesson Six: School Safety in Central Heights

Objective

Many different methods are used to carry out executive power at all levels of government. One common method is the use of special committees, panels, or task forces to recommend the best way to carry out a law.

In this lesson, students will read, summarize, and evaluate five hypothetical school safety plans. They will use graphs to determine and describe the cost effectiveness of each plan. They will then evaluate options that would best address the problems of crime and safety.

Resources

Student Handout 5-6 — The Mayor's Speech
Student Handout 5-7 — Safer Schools Plans
Student Handout 5-8 — Pros & Cons Worksheet

Procedures

1. Explain to students that this scenario deals with the issue of crime and safety. Ask students if crime is a problem in their community. Why/why not?

2. Tell students they are going to become citizens of a community called Central Heights, a city that is concerned with its crime problem. As they play the role of a special crime task force, they will consider how to reduce crime in Central Heights. Their job will be to decide on the best ways to make their community and schools safer. The task force, which has been appointed by the Mayor, is part of the Executive Branch of government. They are helping the Mayor enforce the law.

3. Tell students to look at **Student Handout 5-6** as you read The Mayor's Speech out loud.

Note: Keep in mind that the budget is one of the responsibilities of the Legislative Branch, not the Executive Branch. The money has been allocated to the Mayor by the City Council.

4. Have students answer the following questions:
   - What is the problem?
   - Who is affected by this problem?
   - How does the mayor want to use the Safe Cities funding?
   - Why does the mayor want to use some of the funds for schools?
   - What is the job of the Safer Schools Task Force?

5. Explain to students that their job is to choose the best way to spend $100,000 to help create safer schools in their city. The Mayor will recommend a plan from the task force to the City Council. To do this job, they will look at several options and think about the pros and cons of each. Divide the class into groups of four or five. Ask students to look at **Student Handouts 5-7** and **5-8**. Direct them to review each option. As they do so, have the recorder make a list of the pros (the good points of the plan) and the cons (the bad points of the plan). Explain that plans or options often have both pros and cons. The students need to consider how each plan will affect the community. Each group should choose a reporter to share its findings with the class.

6. Write the number and title of each plan on the board. Ask a student to describe the plan. Have students share their pros and cons. Once lists are complete, have students discuss the plans and begin to consider which one they favor.

7. Ask students what other information they might need before making a final decision. Tell students that soon they will find out how much each plan will cost and how that might affect their decision.

8. Remind students to bring their Safer Schools Plans and Pros and Cons to the next class.

Note: This activity is from Constitutional Rights Foundation, City Youth: Education and Community Action, *1995.*

Lesson Seven: Costs and Benefits

Objective

Students will evaluate the cost-effectiveness of the Central Heights Safer Schools plans.

Resources

Student Handout 5-7 — Safer Schools Plans
Student Handout 5-8 — Pros and Cons Worksheet
Student Handout 5-9 — Safer Schools Budgets
Student Handout 5-10 — Graph
Student Handout 5-11 — Graph Directions
Graph Answers

Procedures

1. Ask students to review the plans they were considering funding with the Central Heights Safer Schools money. Explain that each plan has a budget that tells how much it will cost to put the plan into action.

2. Discuss with students the budgeting of their money/allowance. Use the following example. Read the situation to the students. Using the chalkboard, have volunteers suggest the cost of the items. How much would it cost to do the following:

   Two students are planning to take the bus to the mall on Saturday. They would like to see a movie. They will buy some popcorn and soda at the show. What kind of budget (how much money) would each student need? What is the total for both students?

   Movie Tickets $____
   Popcorn ____
   Soda ____

   Total $____

   Grand Total for both students 2 X ____ = ____

3. Ask students to look at their Safer Schools Plans and Pros and Cons. Divide the class into five groups, one for each plan. Tell students that their job is to evaluate their group's assigned plan and make a presentation to the Mayor based on that evaluation. Each pupil should have a copy of the Safer Schools Budgets, a blank graph sheet, and graph directions (**Student Handouts 5-9, 5-10, 5-11**).

4. Read the directions for completing the graph. When it is clear that the students understand the terms and mechanics of completing the graph, have the pairs work together to determine the cost of each plan. Each student should total the cost of their group's plans and compare their answers with the rest of their group. When they have determined that the amounts are correct, they should complete the graph sheet.

Budget Answers
Plan #1-$50,000; Plan #2-$60,000; Plan #3-$40,000; Plan #4-$95,000; Plan #5-$40,000.

5. Students should discuss the pros and cons of their plan. What do they want to tell the Mayor about it? Is the plan cost-effective? They should select a spokesperson to make the presentation.

6. Have students present their evaluation of their plans to the Mayor (yourself, a resource person, or designated student). Other groups should take notes on each plan as it is presented. Tell them they will need these notes as they make a final recommendation to the Mayor about which plan to select.

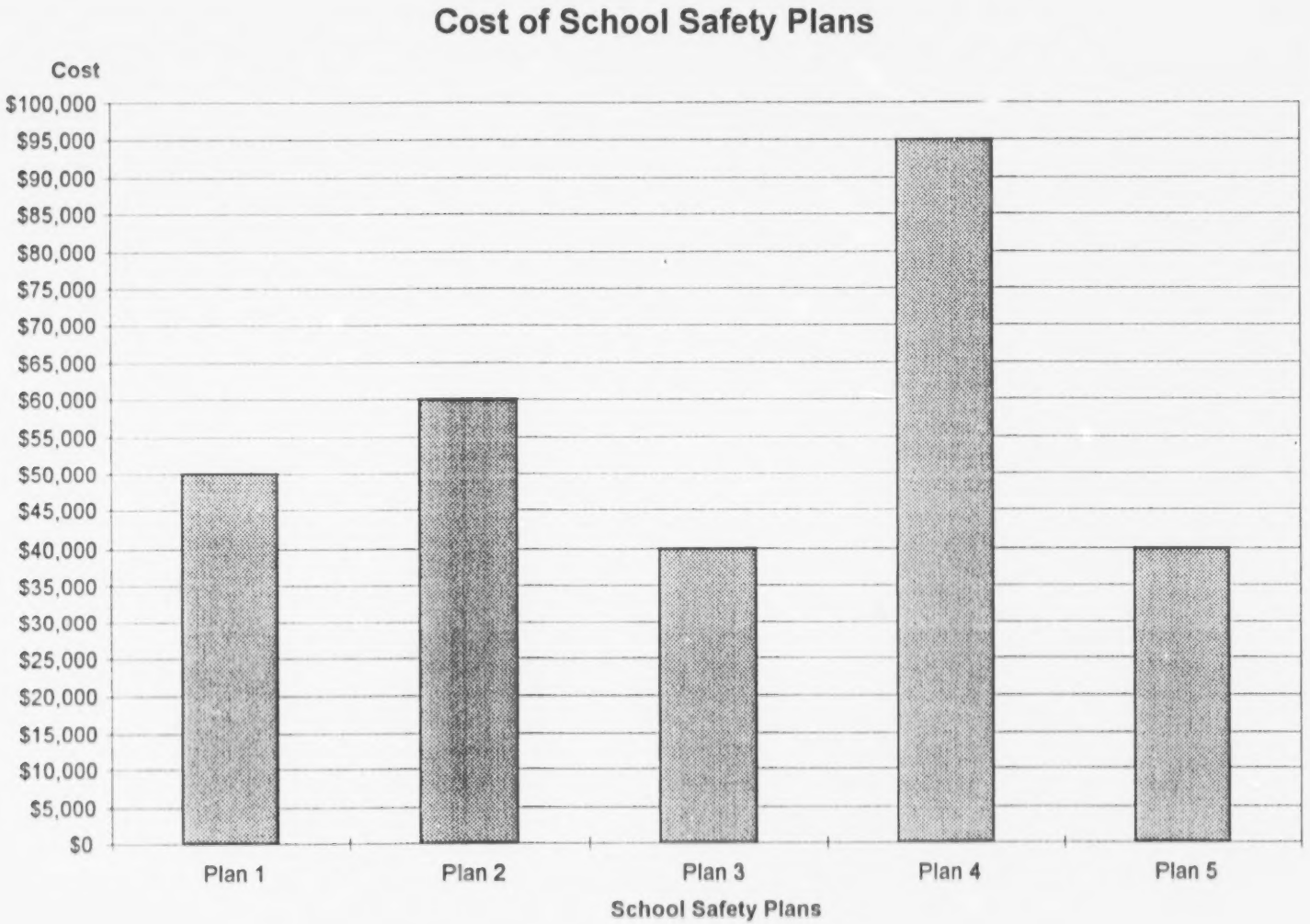
7. Debrief the students. Ask students to present the cost information for each Safer Schools plan.
   - Which plan will cost the most? The least?
   - Is the plan that costs the most necessarily the best?

8. Introduce the idea of cost effectiveness by recalling the student budget. What if they selected a show that was offering two movies for the price of one? That would make the plan more cost effective than seeing only one movie. But what if the two movies were boring? Is it really cost effective to see two boring movies instead of one exciting one?

9. Explain that a simple question, such as "How much money does it cost?" may not be the only way to evaluate a plan. When selecting a plan, it is important to answer these questions:
   - Will it work?
   - Do you get what you pay for?

10. Remind students to bring their completed graphs, plans, and budgets to the next class.

Graph Answers



Lesson Eight: School Safety Proposals

Objectives

Students will:

- select and propose school safety plans.
- attempt to reach a classwide consensus on a plan or combination of plans.

Resources

Student Handout 5-7 — Safer Schools Plans
Student Handout 5-8 — Pros and Cons Worksheets
Student Handout 5-9 — Safer Schools Budgets
Student Handout 5-10 — Graph
Student Handout 5-11 — Task Force Report Card

Procedures

1. Remind students that they have looked at five plans to address school safety. They have considered the pros and cons of each plan and compared the costs of all the plans. Today students will evaluate the plans and select their plan for the city.

2. Have students return to their groups from the previous lesson. Distribute the Task Force Report Card (**Student Handout 5-12**). Each group should select a leader and a reporter. After reviewing all materials, each group should rank the plans in order starting with the one the group likes the best. If a group does not have a consensus, they may wish to vote on each plan.

3. Students should then decide how they will spend the $100,000 to improve school/community safety. They may choose one plan or a combination of plans. When students have decided on their plan, they should complete **Student Handout 5-12**. Each group should prepare to present its plan to the mayor.

   You may wish to have students put their selection on chart paper so that the reporter from each group can refer to the chart during the presentation. Remind students that their job is to convince the Mayor that their plan should be selected. How can they make their presentation the most effective?

   Encourage students from the other groups to ask questions of the presenters about the various plans and implementation of the plans.

4. After all groups have reported, discuss the following questions:

   - Which of the five plans was most popular? Which seemed weakest? Why?
   - Which plan do you think parents would like best? Teachers? Business people in the community? Police officers? Would any of these groups have strong opinions about any of the plans?
   - Are there any ideas that should be added to the plans?
   - Is it important to think about the pros, cons, costs, and how others feel about a plan before putting it into action?

5. Does the class agree on any one plan or combination of plans? Take a vote, if necessary. What if the mayor would lose the funds if the task force could not agree on a plan of action? Would some groups have to make concessions? Would some groups have to compromise their positions? Could there be a win-win situation?

Lesson Nine: National Executive Power — The President

Objectives

Students will:

- learn about the President, the leader of the national Executive Branch.
- follow the activities of the President for a week in order to better understand his/her roles.
- explain why they would or would not like to be President.

Teacher Background

What Does the President Do?

The President is the head of the Executive Branch of the U.S. federal government. His or her duties include:

- serving as Commander-in-Chief of the armed forces
- supervising the Executive Departments
- granting reprieves and pardons
- making treaties
- appointing federal judges, ambassadors, and officers of the department heads
- providing information to Congress and recommending bills
- vetoing or signing bills passed by Congress

How does someone become President?

The Constitution lists only three qualifications for the U.S. Presidency. The President must: (1) be at least 35 years old, (2) have lived in the United States for fourteen years, and (3) be a natural born citizen. The President is elected to office. Everyone who is a citizen of the United States and meets the age, residency, and registration requirements can vote for a presidential candidate. The President is then elected by a majority vote of the Electoral College, whose members are called electors. Illinois has 22 electors (the sum of the number of the state's Senators — 2 — and the number of its Representatives — 20). The President is elected for a term of four years and can run for re-election once, for a total of eight years. The one exception to this eight-year limit is if the President has replaced another President and serves less than two years of the other's term, it is possible for the person to run for two additional terms and serve a total of ten years.

How do voters decide who is best?

People vote for the candidate who they believe will do the best job as President. One way people decide who would be the best President is to compare how well a person thinks the candidates would perform the duties and responsibilities of the President.

How can Congress stop the President from becoming too powerful?

Congress controls the spending of money. No money can be spent or law passed without Congress. This is a "check" on the President's power. For example, the President is the nation's Commander-in-Chief. He or she commands the armed forces, but cannot send

troops unless Congress declares war or gives its permission. Congress can refuse to raise money for a war or for the armed forces.

What happens if the President doesn't like what Congress does?
The President can veto (not approve) a law that Congress passes. Congress can make a law without the President's approval if two-thirds of the members vote to approve the law. This is called overriding the President's veto.

What happens if the President does not do his/her job or breaks the law?
If Congress thinks the President has broken the law, an impeachment trial is held. The impeachment procedure begins with the bringing of charges by the House of Representatives, who must agree by a two-thirds vote. The trial is conducted by the Chief Justice of the Supreme Court, and members of the Senate act as decision makers. Two-thirds of the Senators present must agree that the President should be removed from office. There has been only one impeachment trial of a President in our nation's history. At the trial, the Senate by one vote did not remove Andrew Johnson, the 17th President.

Resources

Student Handout 5-13 — Interview with an Alien
Student Handout 5-14 — What Do You Know?
Newspapers and magazines
3x5 notecards

Procedures

1. Have students read Student **Handout 5-13** (Interview with an Alien). They can complete fact cards on the office of the President. Check for their understanding. They can complete **Student Handout 5-14** (What Do You Know?) to reinforce the information they have learned.

   Answers to Handout 5-14
   1. Same
   2. Different
   3. Different
   4. Same
   5. Different
   6. Different

2. Have students bring newspapers to school or bring enough copies for students to share and find information about the Executive Branch of government. You may also want them to listen to the radio or television for a week prior to this activity.

3. Have students follow what the President does in a week by clipping articles from the newspaper and writing down information from TV and radio on what the President is doing. This information is necessary to complete the Journal Writing Assignment.

4. Journal Writing Assignment: Have students react to the above information by completing the following statements in their journals:
"The hardest part of being President is...."
"The best part of being President is ...."
"I would like/not like to be President because...."

Lesson Ten: Presidential Advisors

Objective

Students will evaluate candidates for the position of U.S. Attorney General.

Resources

Student Handout 5-15 — Presidential Advisors

Procedures

1. Remind students that the complexity of the President's duties and responsibilities make it difficult for any one person to possess all the knowledge and skills needed. The President has a lot of help.

2. Ask the students to imagine they are now advisors to the President. The President has asked them to help choose a person to be the "Top Cop," the Attorney General of the United States — the head of the U.S. Department of Justice.

3. Have students look at the three resumes on **Student Handout 5-15** (Presidential Advisers) in groups of three to five and ask them to recommend to you the person they think is most qualified and why. There is no right answer. All of the candidates have good qualities and served honorably.

Note: All of the candidates were appointed by a President and approved by the Senate. Candidate #1 is Janet Reno (appointed by Bill Clinton), currently serving; Candidate #2 is Edward Levi (appointed by Gerald Ford), now living in Chicago and Professor Emeritus at the University of Chicago; and Candidate #3 is Robert Kennedy (appointed by John Kennedy), later assassinated when he ran for President in 1968.

4. Journal Writing Assignment: Have students write about who they would recommend and why.

The Village Gazette

"In touch with the land and the truth" December 6

President Has Very Very Very Very Very Very Busy Day

After putting the Army on alert against an invasion of illegal aliens from Noitutitsnoc, the President learned that the threatened invasion was a joke. The government of Noitutitsnoc has apologized, and Sthgir—the alien responsible for the joke—has been arrested. When asked whether he will pardon the alien, the President said, "I will talk with Sthgir to explain why this was a terrible thing to do to Americans. If he seems genuinely sorry and learns from his mistake, I may grant a pardon." Meanwhile, the President is planning to appoint an ambassador to Noitutitsnoc.

In other news, the President has met with other world leaders to discuss a land mine treaty that he may sign. He also proclaimed the area of Florida hit by Hurricane Jackie to be a disaster area, making it possible for the people to receive federal disaster money. He will fly there tomorrow to talk with victims about their problems.

Governor Works for the State

This week, the Governor has worked closely with the Legislative Branch on important laws. He asked the state legislature to write and pass a bill for school reform. "Education is our future," she said, "If we work together, I think we can make a law that will improve our schools." She then signed a law passed by the legislature that creates a new state park.

Later, the Governor organized a task force on prisons. The new state budget has money for a new prison, but there are many arguments about where it should be built. The Governor will have experts from all sides discuss the issue and present their answers to her. She hopes this will help her make the best decision.

Mayor Connects with Community

The Mayor began his day by giving a medal to a firefighter who saved a child from a burning building. "This act of bravery must be rewarded," the Mayor said as he put the medal around her neck.

In a speech later that day, the Mayor described his plan for a new recycling program. "It has always been my goal to make the city a cleaner, more pleasant place to live. This is one step toward that goal," he announced.

In the evening, the Mayor spoke with minority leaders about their concerns. They were especially worried about crime. The Mayor praised the city police, but said they have a very big job. He promised to hire more police, including a larger number of minorities.

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Student Handout 5-2

POLICE CALL

Police Call #1: Summer Basketball

Your group will act out a skit in which some kids are playing basketball in the park late at night. There are several people in the park that night — some playing basketball, some playing tennis, and some walking their dogs. The kids playing basketball are enjoying the game so much that they have forgotten what time it is. The neighbor calls the police because it is past the kids' curfew, and she doesn't think it is safe for them to be out so late.

Roles: Two or three friends playing basketball
Mrs. Johnson, a neighbor who lives close to the park
Caller: There are some noisy kids hanging out in the park, and it's past their curfew.

Police Call #2: Just Playing

Your group will act out a skit in which some kids are fighting. Some older kids join in, and a crowd gathers. Chris and a friend are walking home from school when they see a fight between two younger children. Since one of the younger children, Pat, is Chris' neighbor, Chris tries to help Pat out. Soon some older kids and even some teenagers notice the fight and begin to take sides. One of the people in the neighborhood calls the police to break up the fight before people get hurt.

Roles: Chris and Chris' friend
Pat, Chris' neighbor
Joe, who is fighting with Pat
One or two older kids who join in the fight
Mr. Jones, a neighbor who sees the fight
Caller: Police, come quickly! There is a big fight outside my house, and I'm afraid someone's going to get hurt!

Police Call #3: The School

Your group will act out a skit in which a group of schoolchildren and their parents are protesting the closing of a school in their neighborhood. They are shouting and carrying signs outside the district office. The parents are upset that the school in their neighborhood will be closed, because they will have to send their children to a school which is farther from their homes. They are afraid for their children's safety going to and from school. They make signs and march in front of the district office. Some of them are loud because they want the district officials to hear them. The district secretary sees a crowd gathering outside and angry people shouting. The secretary is worried that they might get violent.

Roles: One or two students protesting with their parents
The secretary at the district office
Caller: There is a mob outside the office. I'm afraid to leave the building.

Police Call #4: Just Standing on the Corner

Your group will act out a skit in which a large group of kids are hanging out after school on a street corner near the school. Most of the kids who hang out on the corner don't cause any trouble. They rent movies at the video store on the corner and buy snacks in the nearby fast food restaurant. Sometimes other people have trouble walking on the crowded street and get annoyed with the kids. The shopkeepers think that the kids are causing trouble for customers coming into their store, so the video store clerk calls the police.

Roles: Two or three kids hanging out on the corner
The shopkeeper at the video store
Caller: There is a group of kids loitering outside my store, and they are bothering my customers.

Police Call #5: Noisy, Nasty Neighbors

Your group will act out a skit in which neighbors are fighting. The Smiths and the Greens don't get along with each other. The Greens like to have friends over and often get really loud. The Smiths are sick of the noise. Now, the Smiths and the Greens are always calling each other names and threatening each other. Cory, who lives across the street, hears them fighting but is afraid to do anything. Cory's next door neighbor Pat hears them too and is sick of it. One day when the Smiths and the Greens are especially loud, Pat calls the police.

Roles: People in the Smith family
People in the Green family
Cory, who lives across the street
Pat, Cory's next-door neighbor
Caller: Police, come quickly! My neighbors are fighting and threatening each other.

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Student Handout 5-3

HOW DO YOU FEEL?

Circle One:	Pre-Survey	Post-Survey

A survey about police and the community. Check the answer that best describes your feelings about each statement. Please answer honestly.

I think:	YES	NO	NOT SURE
1. The police listen to young people.			
2. The police are fair.			
3. The police are honest.			
4. The police are well-trained.			
5. The police will pick on me.			
6. I trust the police.			
7. The police are friendly.			
8. The police obey the law.			
9. The police are people who want to help me.			
10. The police are mean.			
11. I would call the police if I saw someone breaking the law.			
12. I would like to be a police officer.			

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Student Handout 5-4

Are You a Good Witness?

Pretend you are a witness. Study this scene carefully for fifteen seconds, then turn this sheet over.

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Student Handout 5-5

My Police Report

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Student Handout 5-6

THE MAYOR'S SPEECH

Good afternoon, ladies and gentlemen. For most of us, Central Heights is a good place to work, live, and raise our children. But today Central Heights faces a growing problem.

This problem touches all of us. I am talking about crime in Central Heights. I do not want to blame any group. I want us to work together to fight crime.

Central Heights is not alone. Cries for help in preventing crime have been heard all across the nation. As a result, the City Council has approved a new anti-crime program called Safe Cities. Through this program, $500,000 will be made available to our community. It is our job to use this Safe Cities funding to make Central Heights safer for ourselves and our children.

Crime often strikes at young people. Violence is now one of the leading causes of death among people under the age of 18. Many schools across the country are now fighting crime both in and around school.

In making Central Heights a safer community, we cannot overlook our schools. As our schools and the neighborhoods surrounding them become crime-free, our entire city benefits. For this reason, I am setting aside $100,000 of the Safe Cities funds to be used strictly for fighting crime at schools and in their neighborhoods.

I have created a special Safer Schools Task Force made up of young people. You are members of this task force and your job will be to decide on the best way to spend the $100,000 to make schools and the communities surrounding them safer.

I firmly believe that this $100,000 for schools will be the most important money we spend on combating this serious community problem. Remember, by investing in our youth today, we create a better future for tomorrow.

I wish the Safer Schools Task Force good luck and look forward to hearing your ideas soon.

(Activity adapted from: Constitutional Rights Foundation, *City Youth: Education and Community Action*, 1995.)

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Student Handout 5-7

CENTRAL HEIGHTS SAFER SCHOOLS PLANS

PLAN #1—CRIME PREVENTION CLASSES

Central Heights police officers would come to classrooms to teach students ways to prevent becoming victims of crime. In the evening, officers would teach adult classes at the school for parents and community members. These classes would help citizens learn how to organize neighborhood watch groups and would teach other forms of crime prevention. The classes would be videotaped. The videotapes would be used to train other officers to teach classes at other schools.

PLAN #2—SAFETY EQUIPMENT AND HARDWARE

This plan would pay to install new fences, lights, and metal detectors in Central Heights school buildings and grounds. These improvements would make each school more secure and might help fight on-campus violence. Parents have volunteered to help make these improvements.

PLAN #3—IN-SCHOOL DETENTION: "THREE STRIKES AND YOU'RE OUT"

Three Strikes would be an in-school detention program for students who have been in trouble three times or more. A teacher and part-time counselor would help Three Strikes students improve their attitudes, behaviors, and study skills. Separate classrooms at each school would allow these specially trained teachers to work closely with Three Strikes students during school hours. This would allow other students to continue their normal studies with less disruption. Three Strikes teachers would teach units on crime, violence, and school safety and would give extra help to any students with learning problems.

PLAN #4—SCHOOL SAFETY PATROL

This plan would pay for two full-time security officers to patrol the streets around Central Heights schools. These officers would patrol weekdays from 7 a.m. to 4 p.m. They would protect students traveling to and from school. These officers would also assist Central Heights school security officers with problems on the schools grounds and keep in radio contact with the Central Heights Police Department.

PLAN #5—CRIMEWATCH HOT LINE

This plan would provide a 24-hour telephone line for people with information about violent crime. This information would be passed on to the Central Heights Police Department and the identity of the caller would be protected. Callers would receive reward money for information that helps to locate and convict violent offenders.

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Student Handout 5-8

Name_____ Date_____

CENTRAL HEIGHTS SCHOOL SAFETY PLANS
PROS AND CONS

Read each plan. Write the main idea of each plan. Write two things that are good about the plan in the "Pros" box. Write two problems with the plan in the "Cons" box.

Plan #1: Crime Prevention Classes

Main Idea	Pros	Cons
_____	(1)_____	(1)_____
_____	(2)_____	(2)_____
_____		

Plan #2: Safety Equipment & Hardware

Main Idea	Pros	Cons
_____	(1)_____	(1)_____
_____	(2)_____	(2)_____
_____		

Plan #3: In-School Detention "Three Strikes"

Main Idea	Pros	Cons
_____	(1)_____	(1)_____
_____	(2)_____	(2)_____
_____		

Plan #4: School Security Patrol

Main Idea	Pros	Cons
_____	(1)_____	(1)_____
_____	(2)_____	(2)_____
_____		

Plan #5: Crimewatch Hot Line

Main Idea	Pros	Cons
_____	(1)_____	(1)_____
_____	(2)_____	(2)_____

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Safer Schools Budgets

Instructions: Total the costs for each plan.

Plan #1: Crime Prevention Classes—Budget

Item	Cost
Police Officers—Evening Pay	
15 officers x 100 hours x $25 per hour =	$_____
School Security for Evening Classes	
2 staff people x 100 hours x $12.50 per hour =	$_____
Classroom Materials and Printing	
Middle School Materials Printing	
2,000 students x $2 =	$_____
Adult Class Materials Printing	
300 students x $10 =	$_____
4 instruction videos x $250 each =	$_____
Demonstration materials and displays	$ 2,000
Total Cost for Plan #1	$_____

Plan #2: Safety Equipment and Hardware—Budget

Item	Cost
Design and Contractor Fees	
1 supervisor x 240 hours x $30/hour =	$_____
2 carpenters and 2 electricians x 240 hours x $25/hour =	$_____
Cost of drawings and plans =	$ 6,000
Materials	
Fence 1,400 yards x $5 per yard =	$_____
30 lights x $60/light =	$_____
5,000 feet of wiring x $.20/foot =	$_____
4 metal detectors x $3,250 each =	$_____
Total Cost for Plan #2 =	$_____

Safer Schools Budgets

Plan #3: In-School Detention—Budget

Item	Cost
Teacher and Counselor Salaries	
2 part-time teachers =	$ 18,000
1 half-time counselor =	$ 20,000
Classroom Materials	
1,000 workbooks x $1.50 =	$
8 instruction videos x $31.25 each =	$
Demonstration materials and displays =	$ 250
Total Cost for Plan #3 =	$

Plan #4: School Security Patrol—Budget

Item	Cost
Wages and Salaries	
2 full-time officers x 40 weeks x $700/week =	$
Materials	
1 radio-equipped patrol car =	$ 39,000
Total Cost for Plan #4 =	$

Plan #5: Crimewatch Hot Line—Budget

Item	Cost
Wages and Salaries	
3 part-time staff members x 52 weeks = $200/week	$
Outreach Materials and Printing	
250 posters x $.50 each =	$ 675
Computerized phone answering system =	$
Reward money (you decide how much to offer)=	$
Total Cost for Plan #5 =	$

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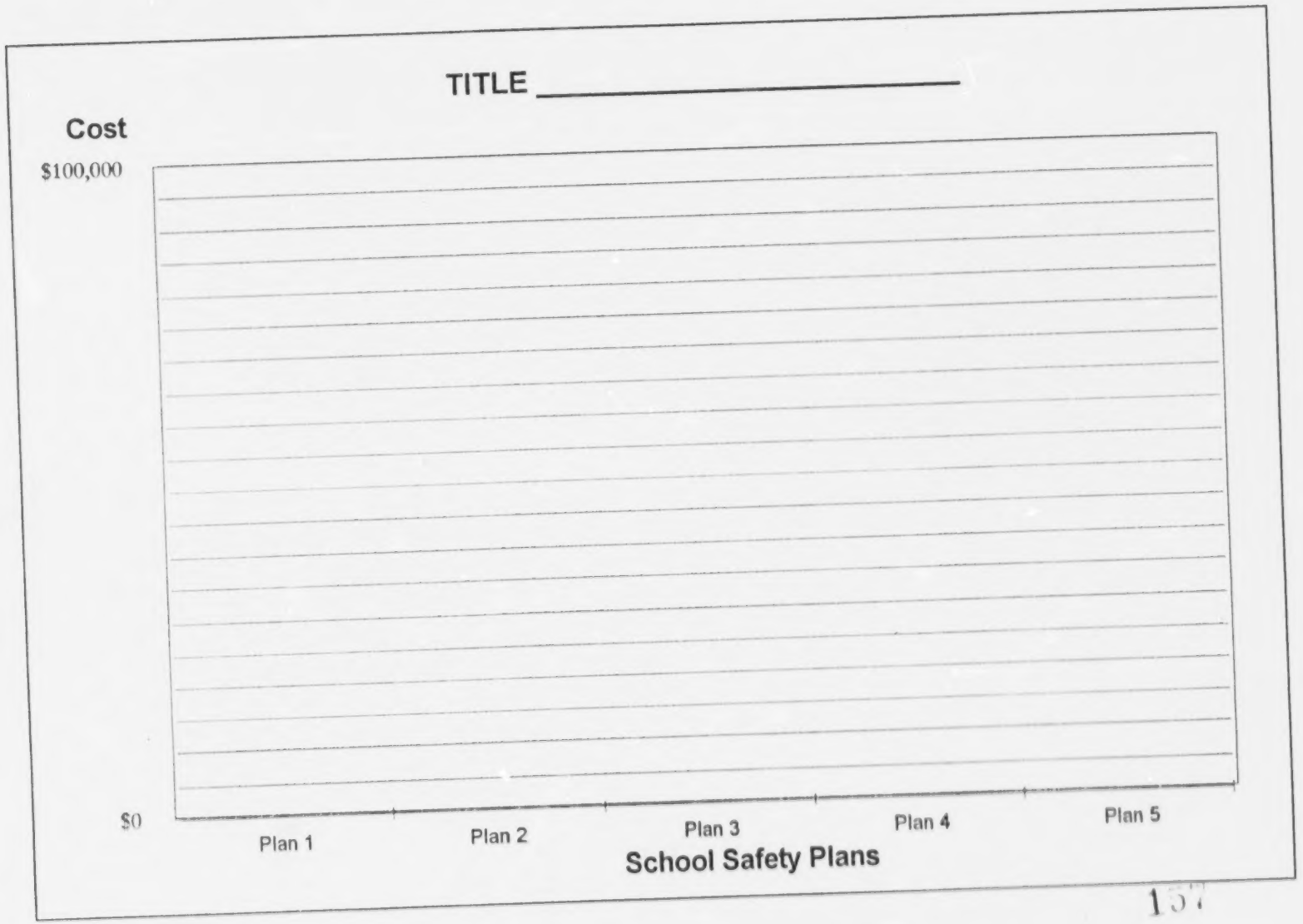

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Student Handout 5-11

GRAPH DIRECTIONS

For this activity, you will need a ruler, a pencil, and crayons or markers. Use the blank graph to complete this activity.

1) Your graph will show the different costs of each Safer Schools plan. Agree on a title and write your title on the top line of the blank graph.

2) Find the vertical (up-and-down) axis on the graph. It is labeled "Cost." This axis will show the amount of money each plan will cost. Now you will need to fill in the value of each unit on the vertical axis. The top of the graph shows the largest amount, $100,000 to spend. The bottom of the graph begins with 0. Since you have $100,000 to spend, that is the number at the top of the graph.

   - How much should each section be worth? HINT: Count the number of spaces between 0 and $100,000. Divide $100,000 by the number of spaces.

   - Label each unit line by increasing the number by your answer.

3) Go back to your Safer Schools Budgets. Look at the cost of each plan. Make a bar above each plan on the graph. The bar should go up to the line for the cost of the plan. Shade in the bar.

You have now completed your graph.

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Student Handout 5-12

Name: _____ Date: _____

TASK FORCE REPORT CARD

Step 1: Rank the plans in order, from your most favorite to your least favorite.

FIRST CHOICE PLAN #: ____ TITLE: _____ COST: $ _____

Reasons: _____

_____

_____

SECOND CHOICE PLAN #: ____ TITLE: _____ COST: $ _____

Reasons: _____

_____

_____

THIRD CHOICE PLAN #: ____ TITLE: _____ COST: $ _____

Reasons: _____

_____

_____

FOURTH CHOICE PLAN #: ____ TITLE: _____ COST: $ _____

Reasons: _____

_____

_____

FIFTH CHOICE PLAN #: ____ TITLE: _____ COST: $ _____

Reasons: _____

_____

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Name_____ Date_____

TASK FORCE REPORT CARD (continued)

Step 2: Consider the costs and how effective the plans would be. What can you get for $100,000? (Show your work below. Use the back of the sheet if you need more room.)

Step 3: Make a decision! What plan or combination of plans do you recommend? How will you spend the money?

Plan(s)	Cost
Total Cost	

Two reasons why your idea is a good one:

1. _____

_____

2. _____

_____

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Student Handout 5-13

Interview with an Alien

Now that STHGIR has apologized for threatening to take away Americans' rights, he would like to learn as much as possible about American government. This is a conversation he had with an aide (or assistant) to the President named Bryn.

Bryn: Hi, STHGIR. Did I say your name correctly?

Sthgir: No, but I don't think your Earth-mouth can say my name unless you practice for many years. I have decided that my Earth-name will be Bill. As you know, the people of Noitutitsnoc are very impressed with what we have learned about American government. We are writing a new Constitution now, and would like to learn more about yours. We want to know what it says about your President. The first thing I want to know is, what is a President? What does a President do?

Bryn: That's a big question! Well, the President is the leader of the federal Executive Branch for the United States. That means he or she is in charge of enforcing, or carrying out, the laws of our country. It means the President is in charge of making our national community work. The President also acts as the leader of our country.

The President has a lot of powers and duties to make sure the country works. He or she is the leader, or Commander-in-Chief, of our armed forces. Our current President used this power when he thought you were threatening us! The President also gets to hire federal and Supreme Court Judges, as long as Congress approves of the choices.

The President works with the Legislative Branch to make and enforce good laws. He or she can suggest bills to Congress. The President can also veto, or reject a bill....

Bill: What? He won't reject me, will he? I never would have really taken away people's rights!

Bryn: No, of course not. A bill isn't a person named Bill, it's a proposed law that the President either signs or vetoes. May I continue now?

Bill: Whew. Please do.

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Bryn: As our leader, the President also must talk with leaders from other countries. He or she can make agreements with them, which are called treaties. The President also names ambassadors to help him. These are people who work for the United States with the government of another country.

Finally, the President needs to travel around the country and find out what people need to make the country work the way it should. S/He gives medals to heroes and visits people where a hurricane has struck. He spends a lot of time talking with the people of the country. They are the President's bosses after all!

Bill: So, the President is really powerful! It sounds like he or she can do pretty much anything.

Bryn: Hold on there, Bill. Not anything. Just as there are checks on the Legislative Branch's powers, there are checks on Executive powers. All of the people the President hires as judges or ambassadors have to be approved by Congress. After they are hired, the judges don't have to do what the President wants. Also, Congress can override the President's veto, if 2/3 of them agree. And the President can't just lead the army anywhere—only Congress can declare war. The President is a very powerful person, but there are limits to keep the President from having too much power.

In fact, the President can even be fired! If the President does something really awful, he or she can be impeached. 2/3 of the House of Representatives must vote to impeach the President. Then there is a trial, where 2/3 of the Senate must agree to remove the President from office. This has only happened once. Andrew Johnson, our 17th President kept his job by just one vote.

Bill: Wow—that's a close call. I guess the President has limits, after all. Now I want to ask you about something you said before. I have read some of your history, and I see that all of your Presidents have been men. Why do you keep saying "he or she" when you talk about the President.

Bryn: That's right, Bill. All of our Presidents have been men, but that doesn't mean that future Presidents have to be! The Constitution says there are only three requirements for becoming President: the person must be a natural-born citizen, the person must have lived in the U.S. for 14 years, and the person must be at least 35 years old.

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Bill: I see. So, if you elected a 35 year old, they could be President for 50 years! That's a long time for Earthlings.

Bryn: No, no. There is a limit. Once a person is elected President by the people of the United States, he or she gets to hold the job for four years. Then, he or she can run for another four years as President. The only exception is when one President leaves office after serving for two years or less of the four year term. Then the Vice-President takes over the job for the rest of that term, and can run for two more terms. In this case, a person could serve as President for ten years, but never more.

It hasn't always been like this, by the way. Congress decided to amend our Constitution after a very popular President, Franklin Roosevelt, was elected four times. They decided that this might give a President too much power, and changed the Constitution to include the limits I just told you about.

Bill: This gets complicated, but I understand that the President can only be elected to two four year terms, even though it's possible someone could be President for ten years. I guess that takes care of all of my questions. Thank you very much, Bryn.

Bryn: You're very welcome, Bill. Good luck with your new Constitution.

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Student Handout 5-14

What Do You Know?

The leaders of the planet of NOITUTITSNOC have hired you to help them write the section about the role of the president for their new Constitution. Compare what NOITUTITSNOC Constitution says about the president to what the U.S. Constitution says by shading in the correct box.

(1)	The President is elected for a term of four years.	☐ ☐	Same as U.S. President Different from U.S. President
(2)	The President cannot be re-elected.	☐ ☐	Same as U.S. President Different from U.S. President
(3)	The President cannot be over 60 years old.	☐ ☐	Same as U.S. President Different from U.S. President
(4)	The President must be a natural born citizen.	☐ ☐	Same as U.S. President Different from U.S. President
(5)	The President must have a college degree.	☐ ☐	Same as U.S. President Different from U.S. President
(6)	The President appoints the leaders of all local police departments.	☐ ☐	Same as U.S. President Different from U.S. President

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Student Handout 5-15

PRESIDENTIAL ADVISORS

In your group of Presidential advisors, decide which one of the following candidates you think the President should nominate to be the Attorney General of the United States. The Attorney General's office is responsible for enforcing federal laws and prosecuting anyone they believe to have broken any of these laws, no matter how important he or she is. If the Attorney General's office had evidence against a Senator, or even the President, the office would prosecute. Some examples of cases Attorney Generals have investigated and/or prosecuted include:

- A U.S. representative charged with using government money to pay for his reelection campaign.
- A member of a militia group accused of bombing a federal building and killing hundreds of people.
- A school district accused of not giving an equal education to boys and girls.
- A gang leader accused of selling drugs all over the country.

Think about each person's experience, education, reputation, and personality. Which one of the following do you think would do the best job of making sure that all of our laws are obeyed? Remember, not only must the President think her or his candidate is the best, but the Senate must also approve of the President's selection. Be prepared to give reasons for your decision. What characteristics do you think are most important?

Janet

Janet is a 50-year-old lawyer who has served as the District Attorney for Dade County, Florida. She has done an excellent job prosecuting criminals in Dade County. Lawyers, judges, and police officers respect her in Florida. The voters also respect her and have reelected her four times as the Dade County State's Attorney. However, before she became the State's Attorney, she ran for an office in the Florida state legislature and lost.

Her father came from Denmark. Both parents were reporters. Janet grew up in a house built by her mother in the swampy Florida Everglades. She went to Cornell University in New York and majored in chemistry. She helped put herself through school by working as a waitress. She then went to Harvard Law School. Even though Harvard is one of the best law schools in the country, she had a difficult time getting a job at a law firm because she was a woman.

Janet says that as Attorney General of the United States, she would try to prevent crime by keeping children away from drugs and gangs, use the law to protect the environment, and use the law to give all Americans equal opportunities.

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Edward

Edward is a 60-year-old law professor who is the President of the University of Chicago, one of the finest universities in the country. He graduated from the University of Chicago and its law school. He went on to receive an advanced degree in law from Yale University, also one of the best universities in the country. He came back to the University of Chicago and was Dean of the Law School before he became President of the University.

He has written many books on the law and education and is respected by the legal community throughout the country. Democrats and Republicans respect and trust him, too. He is known as fair and firm. He has helped Congress make laws regarding atomic energy. He also helped them investigate whether laws were working to prevent huge companies from putting all others out of business. He is a very deep thinker, a fine teacher, and an excellent leader.

Edward is committed to using the law to make society a better place for everyone to live. He does not believe that severe punishments are an effective way to prevent people from committing crimes. He does, however, believe that people who are accused of committing crimes should receive fair and just treatment by our legal system.

Robert

Robert is a 36-year-old attorney who grew up in a very rich, big, and powerful family in Massachusetts. He had eight brothers and sisters. The President is one of his brothers. Robert has always been very loyal to his family. The President knows he can count on him.

Robert went to Harvard University. When he decided to go to law school, he had a difficult time being admitted because of his academic record. He, was, however, eventually accepted into Harvard Law School, one of the best law schools in the country.

Robert is an energetic man. He is very passionate, especially about issues of injustice. When he was in law school in Virginia, he accused the president of the university and the dean of the law school of having no guts and not standing up for racial integration. He got the president and dean to change their minds.

Robert has pledged to get the "big" criminals, not just the little guys. He is especially interested in investigating organized crime.

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Unit VI

Interpreting the Laws: The Judicial Branch

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Unit VI
Interpreting the Law:
The Judicial Branch

Introduction

This unit focuses on the courts as agencies that resolve disputes and apply and interpret the law. Beginning with conflict mediation, students progress from Pro Se (small claims) Court activities, to a criminal mock trial, to a modified moot court simulation. **All of the lessons in the unit benefit from the expertise of an attorney.**

Objectives

Students will:

- understand that courts are agencies that interpret the law
- identify examples of the duties of the judicial branch of government
- understand the differences between trial and appellate courts
- understand the differences between civil and criminal courts
- understand similarities and differences between federal and state/local courts
- interpret the meaning of specific rights guaranteed by the U.S. Constitution
- understand that courts are another means of conflict resolution

Resources

Student Handouts

Student Handout 6-1 — What is the Judicial Branch?
Student Handout 6-2 — Judicial Branch Study Sheet
Student Handout 6-3 — Civil Court
Student Handout 6-4 — Civil Court Study Sheet
Student Handout 6-5 — *Rose's Sporting Goods v. Kramer*
Student Handout 6-6 — Pro Se Court Instructions
Student Handout 6-7 — The Birthday Bash!
Student Handout 6-8 — Criminal Court
Student Handout 6-9 — Criminal Court Study Sheet
Student Handout 6-10 — *The Village Gazette*
Student Handout 6-11 — Mrs. Bean's Journal
Student Handout 6-12 — Jackie Bean's Journal
Student Handout 6-13 — Mr. Biggs' Journal
Student Handout 6-14 — Camilla Hen's Journal
Student handout 6-15 — Juanita Hen's Journal
Student handout 6-16 — Juror Cards
Student Handout 6-17 —The Criminal Trial—*The State v. Bean*
Student Handout 6-18 — U.S. Supreme Court
Student Handout 6-19 — U.S. Supreme Court Study Sheet
Student Handout 6-20 — *Tinker v. Des Moines*
Student Handout 6-21 — What Do You Think?

Materials Needed

4 x 6 Index Cards
The State v. Bean Juror Cards
The State v. Bean Journal Entries
Judicial Review

Suggested Resource Persons

Attorney(s)
Police officer

Lesson One: What Is the Judicial Branch?

Objective

Students will begin to familiarize themselves with key terms and concepts relating to the judicial branch, such as:

- issues of fact
- oath
- jury
- appellate

Teacher Background

Throughout this curriculum, students have studied different ways to resolve conflicts. The court (judicial) system is yet another way to resolve conflict. When other methods fail, the courts must use the law to decide what is right or wrong in civil cases or who is innocent or guilty in criminal cases. **Courts try to resolve disputes by applying and interpreting the law.** Courts in the United States operate on the assumption that a good way to determine the truth is to have both sides of a case argued before a fair and impartial judge or jury.

State and Federal Courts

There are two sets of courts in the United States — the federal courts and the state courts. Both have three basic levels (as shown in the table below), interpret the constitution and laws for their respective jurisdictions, and are responsible for deciding individual cases. In federal and state governments, the judicial branch provides checks and balances to the powers of the executive and legislative branches of government.

Federal Courts	State Courts
U.S. Supreme Court (Highest Court)	State Supreme Court (Highest Court)
U.S. Court of Appeals (Intermediate Appellate Court)	State Court of Appeals (Intermediate Appellate Court)
U.S. District Courts (Trial Court)	District or County Courts (Trial Court)

The two court systems possess three important differences:

1. **Jurisdiction.** The federal court system's responsibilities involve decisions that may affect all states, as well as other countries. They may also involve the Constitutional rights of individuals. Decisions made in the Illinois court system affect residents of this state only.

2. **Structure.** The U.S. Constitution allows Congress to create additional lower federal courts if needed. The General Assembly of Illinois, however, cannot create other courts. The entire state court system is established by a state's constitution.

3. **Service.** Federal judges are appointed for life, while most state judges are elected for specific terms. Only a minority of judges in a few state courts are appointed. Appointed state judges often hear cases concerning traffic tickets, disorderly conduct, and other less serious offenses.

Trial Courts

Both federal and state court systems have civil and criminal trial courts. Trial courts deal with **issues of fact**, meaning that their job is to determine the facts of a case. There are two different kinds of trial courts, civil and criminal. In a **civil** case, lawyers for the plaintiff (the person complaining) and lawyers for the **defendant** (the person being complained about) are responsible for presenting their clients' points of view in the best possible way. To win a civil case, the plaintiff must convince the judge or jury that they are more likely to be right than the defendant. This standard of proof is known as a **preponderance of evidence**.

The other type of trial court is criminal court. In a **criminal** case, lawyers for the government (states' attorneys or prosecutors) have to decide what law has been broken and what charges should be brought against the accused. They must also gather the evidence (facts) to convince a judge or jury beyond a reasonable doubt of that person's guilt. Lawyers for the defense (public defenders, court-appointed attorneys, or private attorneys) are responsible for presenting their client's case in the best possible way. **Their client is presumed innocent until proven guilty by the state beyond a reasonable doubt.**

Appellate Courts

Federal and state court systems also have appeals courts. The appeals court judges have the job of reviewing what happened in the trial court when asked to do so. Was the trial fair? Did the judge properly apply the law in the case? These are **issues of law**, meaning that the court decides whether or not a particular law or interpretation of the law violates the Constitution.

Like other appeals courts, the Supreme Court also deals with issues of law. The Supreme Court, however, is the highest level of review for its jurisdiction—the state for a state supreme court, the nation for the U.S. Supreme Court. Another role of the Supreme Court is to protect the rights of the people against unconstitutional actions by the government. For these reasons, the U.S. Supreme Court is sometimes called the "court of last resort."

Resources

Student Handout 6-1 — What Is the Judicial Branch?
Student Handout 6-2 — Study Sheet
4x6 cards

Procedures

1. Ask what students know about courts: What do they do? How do courtrooms look? What kinds of people work in courts? (Judges, Lawyers, Court Reporters, Bailiffs, Clerks, etc.) Record and discuss responses.

2. What do students want to know about the courts? Record these topics and questions next to the list of what they know. At the end of the unit, record what the students have learned on this chart.

3. Divide students into pairs and distribute five index cards to each student. Have students read **Student Handout 6-1** (What Is the Judicial Branch?) and complete **Student Handout 6-2** (Study Sheet). After completing the Study Sheet, have students write one important fact on each index card. Each student should prepare five fact cards. You will need to circulate between the groups, since students are likely to be unfamiliar with some of the words. When students have completed the cards, review the facts together. Can students put the facts in their own words?

   Answers to Handout 6-2
   1. wins
   2. oath
   3. jury
   4. appeals
   5. trial
   6. attorney
   7. T
   8. A
   9. A
   10. T

4. Tell the students that the index cards will be used throughout the unit to review information and for a final group activity. You may want to provide a place for them to keep their cards. They should review these as time permits.

Lesson Two: Introduction to Pro Se Court

Objectives

Students will become familiar with key terms and concepts related to Civil Court, with an emphasis on Pro Se Court.

Teacher Background

Every state has a special court, called Small Claims or Pro Se (Speak for Yourself), to help settle a consumer claim. It is fast and inexpensive. If you believe someone owes you money, you contact the county court clerk, fill out forms with the name and address of the person you are suing, give a brief description of why you are suing and for how much, and pay a small filing fee. States limit the amount of money you can sue for in Small Claims Court — ranging from a limit of $500 in Texas to a limit of $5000 in Tennessee. In Illinois, you can sue for up to $1500. You do not need a lawyer. In some states, you are not allowed to use a lawyer. Once you have filed and been notified you will appear before a judge who will let both you and the defendant tell your side of the story. Both sides should bring evidence, including documents such as written agreements, receipts, canceled checks, or sales slips, in addition to witnesses who will support your case. The judge listens to all of the evidence, asks questions, and usually decides immediately. If there is not an immediate response, the court will give you a decision within a few days.

Resources

Student Handout 6-3 — Civil Court
Student Handout 6-4 — Civil Court Study Sheet

Procedures

1. Tell students that conflict mediation sessions are similar to court proceedings and sometimes take the place of formal court proceedings. This is particularly true of the types of situations found in Pro Se Court. Many communities have conflict/dispute resolution centers where people take their disagreements instead of going to court.

2. Have students read **Student Handout 6-3** (Civil Court) and fill out the Study Sheet (**Student Handout 6-4**) and fact cards as before. Check for understanding. Tell students that these cards should be added to the set on the Judicial Branch.

Answers to Handout 6-4

1. Pro Se
2. civil
3. preponderance of evidence
4. money damages
5. complaint
6. lawyer
7. plaintiff
8. defendant
9. judge
10. criminal

Lesson Three: Rose's Sporting Goods

Objective

Students will:

- Role play a conflict
- Practice their mediation skills, and
- Learn how that conflict might be resolved in Pro Se Court

Resources

Student Handout 6-5 — *Rose's Sporting Goods v. Kramer*

Procedures

1. Have students practice mediation skills in groups of three using **Student Handout 6-5** (*Rose's Sporting Goods*). Record the outcomes from the groups and be prepared to compare them to the Pro Se Court process.

2. What would happen if the people involved in this case had refused to mediate? Rather than trying to create a win/win situation, imagine what people would say to convince the judge they should get their way.

3. Describe the roles in a small claims court:
   Plaintiff (the person making the complaint — Rose's Sporting Goods)
   Defendant (the person defending against the complaint — Andre)
   Judge (the person who must decide whether or not the complaint is valid)

4. Have the whole class generate arguments for the plaintiff, the defendant, and the judge. You may want to list the students' ideas on the chalkboard. Select two volunteer students to role play the plaintiff and defendant. If an attorney is present, ask her/him to play the part of the judge. Complete the role play and then let the attorney review the Illinois guidelines for what cases may be taken to Pro Se Court or small claims court.

Lesson Four: The Birthday Bash!

Objective

Students will simulate a Pro Se Court case in small groups.

Resources

Student Handout 6-6 — Pro Se Court Instructions
Student Handout 6-7 — The Birthday Bash!

Procedures

1. You will need to divide the class into three groups — plaintiffs, defendants, and judges — to prepare for the next case. There should be two plaintiffs and two defendants for every judge (e.g. Plaintiffs=10 students; Defendants=10 students; Judges=5 students). Distribute copies of **Student Handout 6-6** (Pro Se Court Instructions) and **Student Handout 6-7** (The Birthday Bash!). After the students have read the handouts, check for their understanding. Then, you and/or the attorney(s) should work with the groups to assist with the role preparation. Make certain that students understand the instructions. For example, students may have a hard time remembering that the plaintiff and defendant speak only to the judge, not to each other. They may speak only in response to questions asked by the judge.

2. After students have had an opportunity to prepare their roles, set up groups so that each includes Hernandez, his parent, Smith, her parent, and one judge. The plaintiffs tell their side of the story first. The judge may ask some questions. Then the defendants tell their side of the story and may be asked questions by the judge. If available, the lawyer(s) should circulate and observe the groups. The judge then makes a decision for his/her group and writes it on a piece of paper. Tell judges not to reveal their decisions to the disputants.

3. Call on each judge and record the decision given. After all decisions are recorded, have lawyers discuss and comment on the decisions and on the way courts operate, noting similarities and differences between the student simulations and real Pro Se Courts.

4. Journal Writing Assignment: Have students respond to the following questions:
   - What should the judge have decided in this case and why?
   - Did the judge's decision bring about a win-win situation?

Optional Activity: Have students attempt to mediate this conflict before taking it to court.

Note: Avoid the temptation to have your class act as a jury in this case. Pro Se courts do not have juries!

Lesson Five: Introduction to Criminal Court

Objective

Students will become familiar with key terms and concepts, such as:

- defendant
- prosecutor
- innocent until proven guilty
- beyond a reasonable doubt
- self-incrimination
- double jeopardy
- jury trial

Resources

Student Handout 6-8 — Criminal Court
Student Handout 6-9 — Study Sheet

Procedures

1. Have students read **Student Handout 6-8** (Criminal Court) and complete **Student Handout 6-9** (Study Sheet). Then have students complete fact cards based on **Handout 6-8** and add to their fact cards from **Handouts 6-1** and **6-2**.

   Answers to Handout 6-9

   1. crime
   2. defendant
   3. prosecutor
   4. due process
   5. beyond a reasonable doubt
   6. self-incrimination
   7. unanimous
   8. Bill of Rights
   9. innocent
   10. cruel and unusual

Lesson Six: Preparing for Trial

Objective

Students will prepare to conduct a modified mock trial.

Introduction

Remind students that a **crime** is an act or a failure to act which is forbidden by law and for which the law imposes punishment. **Criminal laws** describe crimes (offenses against society) and the penalties for committing crimes. Discuss again, if necessary, the idea that you are innocent until proven guilty (as opposed to guilty until proven innocent). Help students think about why the Founders thought that was important. What are the advantages? (Innocent people are less likely to go to jail.) What are the disadvantages? (Guilty people are also less likely to go to jail.)

Resources

Student Handout 6-10 — *The Village Gazette*
Student Handouts 6-11 through 6-15 — *The State v. Bean* Journal Entries (one copy each)
Student Handout 6-16 — Juror Cards (one or two copies cut into 12 parts—one for each juror)
Attorney
Courtroom or law firm courtroom (if available)

Procedures

1. Remind students that they mediated a dispute between Jackie and Mr. Biggs. Tell them that they will now learn what can be done if mediation fails. This role play takes place after a failed mediation attempt between Jackie and Mr. Biggs in Unit II. They will learn how the conflict escalated, perhaps to the point where a crime was committed.

2. Have students read **Student Handout 6-10** (*The Village Gazette*) and check for understanding.

3. Select students to play the following roles. Jackie, Mrs. Bean, Mr. Biggs, Camilla, and Juanita should each receive their journal entries (**Student Handouts 6-11** through **6-15**):

2 Prosecutors
2 Defense Attorneys
Judges (can be played by resource persons)
Jurors (the rest of the class)
Jackie
Mrs. Bean (his mother)
Mr. Biggs (a very tall rancher)
Camilla (Hen #1)
Juanita (Hen #2)
Optional: Clerk of Court, Court Reporters, Press Reporters, Bailiffs, Court Sketch Artist

4. The prosecutors should form a group with Mr. Biggs and Camilla. With input from the group, one prosecutor should write down what the prosecution intends to prove as an opening statement to begin the case. The second prosecutor should practice reviewing the testimony with the witnesses. The second prosecutor should be prepared to summarize the evidence that favors their side at the end of the trial.

5. The defense attorneys should use the above process to prepare their case. Their witnesses are Jackie, Mrs. Bean, and Juanita.

6. The volunteer attorneys should help prosecutors and defense attorneys think of questions for their witnesses and for cross-examination. If there is enough time and attorney assistance, you may wish to give the prosecution and defense copies of journal entries belonging to the opposing side's witnesses. They may use these entries to help prepare questions.

7. While the trial participants are preparing their roles, distribute as many juror cards (**Student Handout 6-16**) as needed to the rest of the class. If necessary, you may form two juries with two students playing the same role. The jurors should be placed in groups. They should read, study, and practice their roles. Each person on the jury should tell the other jurors his or her name, who s/he is, and the information on his or her description. You may help the students by asking a few questions. Tell them that an attorney will be asking them questions about their character on the day of the trial. The jurors should be told that they will decide whether Jackie is guilty or not based on the role they are playing, the evidence they hear, and the requirement that his guilt must be proved beyond a reasonable doubt. They must be fair.

Lesson Seven: *The State v. Bean*—A Mock Trial

Objective

Students will learn about criminal court by conducting a mock trial.

Teacher Background

The right to a jury trial was very important to the founders of our country. The Sixth and Seventh Amendments to the U.S. Constitution included the right to a jury trial in both criminal and civil cases in the federal courts. In time, these rights were extended to persons involved in state courts either through the due process and/or equal protection clause of the Fourteenth Amendment. Many state constitutions also spell out this right.

The participation of attorney volunteers is extremely important for this lesson. Their assistance will be needed both to help with procedure and to help student attorneys question witnesses.

Resources

Attorney(s)
Courtroom or law office
Student Handouts 6-11 through 6-15 —Journal Entries
Student Handout 6-16 — Juror Cards
Student Handout 6-17 — The Criminal Trial—*The State v. Bean*
Video recorder

Procedures

1. Invite an attorney to question the jurors in front of the class. If two students have the same role, they may determine their response based on the role description. Even though the lawyer would most likely challenge some of the jurors, all students should be allowed to remain on the jury. The attorney should end each examination by asking the students whether they can be fair. Students should answer yes. The attorney can talk about jury selection after the role play.

2. Have students role play the trial using **Student Handout 6-17** (The Criminal Trial). Court reporters should write down key facts that can be discussed after the verdict. The Bailiff, in addition to calling the court to order, can swear in witnesses. Volunteer attorneys should assist student attorneys with asking questions of witnesses. One of the attorneys may play the part of the judge or act as the coach to the student judge and clerk. Have the judge read and prepare to recite the Judge's Instructions to the Jury (on **Student Handout 6-17**).

   Optional: If a video camera is available, student reporters may tape the trial.

3. Once the trial has been completed, the attorneys should lead the jury in a discussion about their decision. Everyone must indicate whether he/she believes Jackie guilty or innocent of the charges. Students should attempt to reach consensus. If it is possible for the jurors to meet privately, the attorney can answer questions the role-players have while the jury is out. It may be helpful for the jury to have an attorney observing, advising, and answering questions. There should be a time limit for the jury's decision.

4. Have the jury announce its verdict. Then have the attorneys ask the students the following:
   - What was the most convincing argument?
   - What additional information would have helped the jurors to make their decision?
   - Do you think it is a good idea to require a unanimous decision for a guilty verdict?
   - In some countries there are judges, but no juries. Do you think this is a fairer way to decide cases?

5. The attorneys may want to talk about which jurors would have been excluded from the jury. The attorneys may then discuss the importance of an impartial jury and compare the two classroom juries. They may also want to compare this experience to a real trial.

6. Debrief the students about their experience.
   - Was the trial fair?
   - Is this system of justice fair? If so, what makes it fair?
   - How could the trial have been made fairer?
   - What did they think about their role in the process?
   - How does this trial compare with that of Sarah Good?

7. Resource persons may also add their observations on these points and react to student comments.

Lesson Eight: Introduction to the U. S. Supreme Court

Objective

Students will familiarize themselves with key concepts and words such as:

- justices
- judicial review
- petitioner
- respondents
- majority opinion
- dissenting opinion

Resources

Student Handout 6-18 — U. S. Supreme Court
Student Handout 6-19 — Study Sheet

Procedures

1. Have students read **Student Handout 6-18** (U. S. Supreme Court) and **Student Handout 6-19** (Study Sheet). Review and clarify information. Have students complete index cards in class or as homework. Review and place cards with those previously completed.

   Answers to Handout 6-19:

   1. Supreme Court
   2. judicial review
   3. Chief Justice
   4. Rehnquist
   5. nine
   6. Senate
   7. life
   8. petitioner
   9. majority
   10. dissenting

Lesson Nine: *Tinker v. Des Moines*: A Moot Court

Objective

Students will think about and discuss a Supreme Court case.

Teacher Background

This section takes up symbolic speech in schools by reenacting a Supreme Court case from the 1960s. You can give some historical background on the 1960s, such as the strong emotions aroused by the Vietnam war, the protest activities of college students, and the conflicts that sometimes existed between family members on the issue. Are there issues about which some students feel strongly that can help them understand the charged atmosphere of that era? You may want to give an example of such a protest that might take place today. How would the students feel if there were protesters in their school? The activity sets the stage for a discussion of the difference between freedom of speech in society and freedom of speech in schools. Before the *Tinker* decision, it was generally accepted that school officials acted *in loco parentis* (in place of the parents).

Resources

Student Handout 6-20 — *Tinker v. Des Moines*
Student Handout 6-21 — What Do You Think?
Attorney

Procedures

1. Take a quick poll of the class. Ask them to raise their hands if they think students in schools should have the same right to free speech as adults. Write the results of the poll on the board, and save them to see if the class changes its mind after the lesson. You may want to press them by asking what they think of students wearing T-shirts to school that say "Get high tonight," "Our principal is great," or "Boycott lunchroom food." Select some of the artistic students to draw the T-shirts on the board. Would these be permitted in school? Outside of school? Could any of these interfere with classes and studying?

2. Have students read **Student Handout 6-20** (*Tinker v. Des Moines*) in pairs or as a class. Check to see if there were any words with which they had difficulty. The questions on **Student Handout 6-21** (What Do You Think?) will check their understanding and help them think about student rights.

3. Read the reasons used by Supreme Court Justices to support their opinions on *Tinker*. Discuss each reason to check for understanding. Let the attorney discuss each argument with the students. The resource person can ask the students questions and vice versa. After all the arguments have been discussed, ask the students to write, "I think the students should be allowed to (or should not be allowed to) wear their armbands because..." The students should select the reason(s) they find most compelling. Then ask the students for a vote. How many support letting the students wear armbands? How many do not support letting the students wear armbands? Record the vote on the board. Have students vote again to determine the most compelling reasons for their decision. Remind students that Justices disagree, and the ruling is the decision of the majority of the Justices. (This would be a good time to review with students that a majority is "half plus one.")

4. When students have completed the exercise, have the attorney comment on their opinions and review the actual Supreme Court decision and explain its rationale. If students have more questions on the issue they should ask them now.

   Although the majority of the Justices thought that the armbands were protected, if there had been a clear SAFETY issue or if wearing the armbands had clearly distracted students from learning, the students might not have had that right. The U.S. Supreme Court often has to make decisions between two goods, in this case between students being allowed to voice their opinions about important political views versus the principal keeping the school a safe place where learning can take place for all students without disruption.

Supreme Court's Decision

Tinker v. Des Moines Independent Community School District
393 U.S. 503, 89 S. Ct. 733 (1969)

The U.S. Supreme Court ruled in favor of the students by a 7-2 vote. The Court said that the school could not stop the students' right to free expression. They had the right to engage in peaceful protest, and the students were not disturbing the classes or other students by silently wearing arm bands. The First Amendment protects symbolic as well as oral speech.

However, the Supreme Court did not say that students could express themselves in any manner they wanted. The Justices made a rule that would apply in the future. If a student's conduct, in or out of class, "materially disrupts class work, involves substantial disorder or invades the rights of others, there is no Constitutional guarantee of free speech."

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Lesson Ten: Judicial Review

Objective

Students will review what they have learned.

Resources

Completed 4x6 index cards
Judicial Review

Procedure

1. Pairs of students should be given time to review their index cards.

2. Set up five teams. Each team should select a team captain. If your school has buzzers, the team captains should be responsible for "buzzing" in to answer questions. If you do not have buzzers, you might give each group a different colored piece of paper to hold up when they want to respond. You will need a timekeeper and a scorekeeper.

3. As an alternative to calling on the quickest responders, you could give each group a turn. If their response is incorrect, the next team will have an opportunity to respond. Determine who will give the group's response.

4. Place the categories on the chalkboard. Have one of the teams begin by selecting a category (Constitution, Bill of Rights, Court Terms, or People). Read the questions and call on teams who respond most quickly, or give each group a turn. If the response is correct, award points. If the answer is incorrect, you may call on another team.

JUDICIAL REVIEW

CONSTITUTION	BILL OF RIGHTS	COURT TERMS	PEOPLE
*The branch of government that interprets the law (Judicial branch)	*A person cannot be tried twice for the same crime. This is called protection from... (Double jeopardy)	*The Illinois Court used to bring suit for less than $1500 (Small Claims/Pro Se)	*Supreme Court judges are called... (Justices)
*The highest court in the land (U.S. Supreme Court)	*The type of court where people may be given an attorney if they cannot afford one (Criminal)	*Every member of a jury must vote "guilty" for conviction. This is known as a... (unanimous decision)	*The title of the judge who heads the U.S. Supreme Court (Chief Justice)
*The term of office for members of the U.S. Supreme Court (Life)	*The right of the accused not to testify against her/himself is known as protection against... (self-incrimination)	*A Latin words that mean "by or for yourself" (Pro se)	*The number of U.S. Supreme Court judges (9)
*The article of the U.S. Constitution that explains the federal court system (Article III)	*The first ten amendments are known as the... (Bill of Rights)	*The court that decides cases by majority vote (Supreme Court)	*The person accused of a crime is known as the...(defendant)
**Cases dealing with the U.S. Constitution would be heard in this court system (Federal)	*A group of citizens who decide some court cases (jury)	*The attorney who tries to have the accused convicted of a crime is known as the... (Prosecutor/State's Attorney)	*The person who brings suit against another for money damages is known as the... (Plaintiff)
**How one becomes a member of the Supreme Court (2 parts) (Appointed by President and approved by Senate)	*Many states provide poor people who are accused of crimes with lawyers known as... (public defenders)	**Name two state courts that deal with issues of fact. (Civil/Pro Se Court, Criminal Court)	**The present head of the U.S. Supreme Court (William Rehnquist)
**How a member of the Supreme Court might lose his/her job (Impeachment)	*Guilty parties cannot be given this type of punishment. (cruel and unusual)	**The standard for finding someone guilty of a crime (Beyond a reasonable doubt)	**The only African-American on the U.S. Supreme Court (Clarence Thomas)

** 2 point questions

* 1 point questions

Bonus questions (3 points each — for use in final round or as tie-breakers):

- This court deals mainly with issues of law. (Supreme Court or appellate court)
- The power of the courts to say the Constitution does not allow the government to do something. (judicial review)

What Is the Judicial Branch?
(The Court System)

You have already learned that the Legislative Branch of government makes the laws and that the Executive Branch enforces the laws. The Judicial Branch (the court system) has the responsibility of resolving conflicts about the law. If a police officer arrests someone for supposedly committing a crime or if a company is accused of breaking the law by polluting the water, a court will be asked to decide who is right. This system means there will be a winner and a loser. Its goal is to treat all people the same, no matter how much money or power they have. When a case comes before the court, it has to decide the answer to all or some of these questions:

- What does the law mean? Has the law been broken?
- If it has, is the accused guilty?
- If the accused is guilty, how should he or she be punished?
- Does the law agree with the Constitution?
- Was the trial fair?

A **trial court** is responsible for checking the facts of a case. The way the facts are checked is called a **trial**. Witnesses take an **oath** in which they promise to tell the truth. Both sides are heard by a **judge.** The judge must make sure the rules of the court are followed. Judges are almost always former attorneys. Sometimes a group of citizens called a **jury** is used to help decide. The jury have all sworn to be fair as they listen to both sides of the case. In most cases, the two sides have **attorneys**, who must do their best to present their side of the case. After all of the arguments and evidence is heard, the judge and/or jury must decide which side has presented the best case and what will happen as a result.

If people think a trial was unfair, they can appeal the case. The job of an **appeals court** is to look at whether the court rules were followed correctly and whether the law was interpreted correctly.

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Student Handout 6-2

The Judicial Branch

Using Handout 1, complete the following. Write the correct term in the blank. Do not use a word more than once. Choose one of the words below for each blank:

appeals	attorney	decide	fact	federal
guilty	judge	Judicial	jury	oath
state	trial	wins		

1. The court system is different from mediation because it decides who _____. Someone will lose.

2. When you swear to tell the truth as a witness in a trial, you are taking a(n)_____.

3. A group of people who have been asked to decide the facts in a trial is called a(n) _____.

4. An _____ court is responsible for determining whether the law was followed and interpreted correctly.

5. In _____ courts, judges or juries determine the facts of case.

6. People hire a(n) _____, who uses knowledge of the court system's rules, to get a judge or jury to hear their side of the story.

For each case decide whether it should be heard in trial court or in an appeals court or not at all. Mark T for trial court or A for appeals court.

___7. Francis was arrested for shoplifting.
___8. Jonathan has been sentenced to twenty years in prison but did not have a lawyer at his trial.
___9. McDonald's accuses Burger King of stealing its secret recipe for french fries.
___10. Amy, fourteen years old, was convicted of murder and given the death penalty.

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Student Handout 6-3

Civil Court

Look at the following scenes. In which of them could someone be sent to prison by the court if convicted?

1. "Give me all your money or I'll shoot you."
2. "You promised to fix my bicycle right after I helped you with your homework. I helped you. I've waited two months and you haven't done it."
3. "The ads said the backpack was guaranteed for life. The strap broke a week after I got it. The company refused to give me another one or return my money."
4. "Hey, you want to buy some crack cocaine?"
5. "Your dog bit me. You have to pay my medical bills."

In #1 and #4, **crimes** (armed robbery and drug dealing) are taking place. If the people are found guilty, they can be sent to prison by a **criminal court**. In the other cases, if the people or company are found to be at fault, they won't be put in prison. These cases are civil. **Civil courts** hear cases about disagreements between people and/or businesses over agreements, property, or rights. The civil courts are asked to solve these problems. Mediation is another way these problems might be solved.

To win a civil case, the person or company who is complaining (the **plaintiff**) must convince the judge or jury that they are more likely to be right than the people or company they are complaining about (the **defendant**). This standard of proof is known as a **preponderance of evidence**. There are many different kinds of civil courts. The civil court you are going to study is **Pro Se Court**.

How Pro Se Court Works

Pro Se Court (pronounced "pro-say" — two Latin words that mean "by or for yourself") is a special type of civil court. In Pro Se Court (sometimes called Small Claims Court), there is no jury, only a **judge**. The judge hears both sides of the story and may ask both sides questions. Then the judge makes a decision based on the laws of the state.

You can take your case to Pro Se Court if you believe someone owes you money. The defendant may be required to pay up to $1,500 in **money damages** in Illinois. If you are under the age of 18, your parent can file a **complaint** for you.

A special feature of Pro Se Court is that you don't need a **lawyer**. You can hire one if you wish, but if both the defendant and the plaintiff come to court with a lawyer, the case will be heard in a different kind of civil court.

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Student Handout 6-4

Civil Court

Using Handout 3, complete the following. Write the correct term in the blank. Do not use a word more than once. Choose one of the words or phrases below for each blank.

civil	complaint	criminal	defendant
judge	jury	lawyer	plaintiff
preponderance of evidence		Pro Se	money damages

1. _____ is Latin for "by or for yourself."

2. A conflict over such things as agreements, property, or rights would be heard in _____ court.

3. In civil cases, the jury or judge needs to be convinced that the defendant is more likely than not to be wrong. This standard of proof is called _____.

4. In most civil cases, the judge or jury may have to decide whether the plaintiff should receive _____.

5. A parent can file a(n) _____ for a minor who feels he has been treated unfairly under the law.

6. In Pro Se Court, you do not need a(n) _____ to present your side of the story.

7. The person who has a complaint is known as the _____.

8. The person being complained about is known as the _____.

9. In Pro Se court, the case will be heard and decided by a(n) _____.

10. If a person has been accused of robbing you, he or she will be tried in _____ court.

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ROSE'S SPORTING GOODS V. KRAMER

Andre Kramer is the captain of the baseball team, the Bulls. He went to Rose's Sporting Goods Store and ordered 15 baseball jerseys at $20 apiece for the team members. Andre wrote out the order on the form the clerk gave him with the name of the team and said to the clerk, "Put the picture on the back of the jerseys."

The following week Andre went to pick up the jerseys. He was really upset when he saw that each jersey had the word "Bells" and a picture of a Liberty Bell on the back. Andre asked to see the manager and told her they made an error.

The manager replied that Andre wrote out the order himself and did not specify clearly what the mascot was. Andre admitted that his handwriting was not very clear, but protested that they should have realized that "Bells" is an absurd name for a baseball team and they should have called him to check on the name. The manager told him that since the items were custom ordered, Andre must pay for them. He refused. Andre got a notice that Rose's has filed a lawsuit against him for $300 for the cost of the jerseys.

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PRO SE COURT INSTRUCTIONS

1. Read the case assigned to you. You will be part of a group of judges, plaintiffs, or defendants. Help each other to prepare for the case.

   Judge: As a group, prepare some questions you might want to ask the plaintiff(s) and the defendant(s). What are some decisions you might make? Make a list of some options.

   Plaintiffs: Discuss what you want and what you think is fair. What are you going to say to the judge? What do you think the other side will say? Tell your side of the story. Use facts, logic, and evidence. Remember to remain calm. Don't yell or name-call.

   Defendants: Discuss what you want and what you think is fair. What are you going to say to the judge? What do you think the other side will say? Tell your side of the story. Use facts, logic, and evidence. Remember to remain calm. Don't yell or name-call.

2. Once you have prepared the case, the teacher will assign you to a group that has a judge, at least one plaintiff, and at least one defendant.

3. The teacher will tell you how long you have to decide the case. When the teacher says to begin the case, the judge will ask the plaintiff(s) to tell their side of the story. Then the judge will ask the defendant(s) to tell their side of the story. The plaintiff and defendant may not speak to each other, or ask each other questions. They may only speak in response to the judge's questions. The plaintiff and defendant should address the judge as "Your Honor." The judge can ask a few questions of both the plaintiff(s) and defendant(s) if he/she needs to do so.

4. After the judge has heard from both sides and asked questions, the judge should write a decision on a piece of paper. The judge should not tell the plaintiff and defendant the decision at this time, but should be prepared to tell the class why he/she made that choice and what facts or evidence support that choice.

5. Did all the judges make the same decision? If not, why not?

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Student Handout 6-7

The Birthday Bash! — *Hernandez v. Smith*

Juan Hernandez was really excited. This had been the best birthday he ever had! His parents had planned a terrific party for his eleventh birthday and he got to invite all of his classmates from school.

He had opened his presents and everyone was enjoying the party. All of a sudden his dad said, "Oh! I almost forgot, there's one more gift to open." There it was! The silver-blue bicycle Juan looked at every day on his way to and from school as he passed the window of the "Elite Bike Shop." He couldn't believe his eyes. He knew his mom and dad must have saved up for a very long time to buy it for him.

The party ended at 5:00 p.m. and all of his classmates left, except for Samantha Smith. Juan didn't mind, because he really liked Samantha. But he also was eager to try out his new bike, and he knew his dad would say "no" if it got too late.

Juan asked his father if he and Samantha could go outside and wait for her parents, who had called to say they were held up in traffic. His dad laughed and agreed to let Juan and Samantha take the bike out. While Samantha sat on the porch steps, Juan rode up and down the block. He was being very careful because this was such a special present from his parents. Up to this time, he had been riding his brother's old, broken-down bike.

When he stopped at the porch, Samantha said she would love to take a turn on the bike. Juan was hesitant. He asked, "Have you ever ridden a 26" 10 speed boy's bike?" Samantha laughed and said, "You know I have three older brothers. They let me ride their bikes all the time."

Juan held the bike while Samantha got on. Then, she was off in a flash speeding down the street and around the corner. Juan began running to try to catch up with her but she had quite a head start. By the time he got to the corner, she was nowhere to be seen.

Juan sat on the porch anxiously awaiting Samantha's return. After a few minutes, he saw Samantha's family car racing down the street. Mr. and Mrs. Smith angrily jumped out of the car. There was Samantha, sitting in the back seat holding her bruised and bloodied arm. Juan could see the tangled web of what had been his wonderful birthday present hanging out of the open trunk of the car!

The Smith family refused to pay for the mangled bike. They felt the whole incident was Juan's fault because he let Samantha ride a bike with defective brakes. Samantha said she applied the brakes and nothing happened. Besides, Samantha had to be taken to the doctor and have X-rays taken of her arm.

Juan had learned about Pro Se Court in school. His parents decided they would file a complaint to try to recover the $500.00 they had paid for the bike they had given to Juan.

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Student Handout 6-8

Criminal Court

Criminal courts deal with offenses against society. The accused is not brought to court by the victim of the crime, but by the government. The trial is argued before a **judge** or a judge and **jury** by lawyers for the **defendant** (person accused of breaking the law) and lawyers for the government (**prosecutors** or state's attorneys).

A person accused of a crime has many rights. These rights appear in the U. S. Constitution, particularly the first ten amendments (called the **Bill of Rights**) and in each state's constitution. According to the Fifth Amendment, people have the right of **"due process**," which means the government must act fairly and according to the law.

How Criminal Court Works

People charged with committing a crime are **innocent until proven guilty**. The accused does not have to prove innocence. The government must prove the guilt of the defendant **beyond a reasonable doubt**. This means, the evidence must be so convincing that any reasonable person would believe the person is guilty. In a criminal trial, the Fifth Amendment says that people do not have to speak against themselves; this is the protection against **self-incrimination**. The Seventh Amendment says that the accused has the right to a jury trial if she or he wants one.

Both the government and the defendant can:

- call their witnesses,
- question each other's witnesses, and
- comment on any evidence presented during the trial.

The judge or jury must make the decision by looking at the facts and the laws.

If the defendant is found not guilty, the Fifth Amendment says that s/he cannot be tried for the same crime again; this is the protection against **"double jeopardy**." If the accused is found guilty, punishment may be based on how serious the crime was, the circumstances surrounding the crime, and the defendant's past record. In most states, the jury vote in a criminal case must be **unanimous**. Punishment can include the death penalty (for serious offenses), a jail sentence, probation, and/or fines. However, the Eighth Amendment says that it cannot be a "**cruel and unusual**" punishment.

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Student Handout 6-9

Criminal Court

Using Handout 8 complete the study sheet. Write the correct term in the blank. Do not use a word more than once. Choose one of the words or phrases below for each blank.

beyond a reasonable doubt	Bill of Rights	crime
cruel and unusual	defendant	double jeopardy
due process	innocent	jury trial
prosecutor	self-incrimination	unanimous

1. A(n) _____ is an illegal act, an offense against society.
2. The accused who will be tried in criminal court is known as the _____.
3. The government is represented by a lawyer known as the _____.
4. The right to have the government act fairly and according to the law is known as the _____ right.
5. _____ means any reasonable person would believe the person is guilty.
6. Protection from _____ means that no one can be forced to give evidence that might make him or her appear guilty. This discourages anyone from trying to force an accused person to confess.
7. In an Illinois criminal trial, the jury must all agree on the decision. It must reach a(n) _____ decision.
8. A person accused of a crime is supposed to be treated fairly because of the rights listed in the _____.
9. The accused is presumed _____ until proven guilty in our country.
10. Neither a judge nor a jury can punish someone by cutting off his hands because the Eighth Amendment does not allow _____ punishment.

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The Village Gazette

"In touch with the land and the truth" October 7

Hen Missing – Local Youth Suspected of Fowl Play

The Village (VOICE) – Has anyone seen Henrietta Hen? Since her disappearance on October 6, rumors have been flying all over the village. The sheriff told us Mr. Biggs reported the theft of one of his prized hens, Henrietta, yesterday. A local youth, 18-year-old Jackie Bean, has been taken into custody for the alleged crime. Jackie Bean has been charged with criminal trespass and theft. The trial will begin as soon as a jury is selected.

Other strange things have been happening around the village. One unnamed police officer reported a strange stalk growing overnight at the Beans' place. A neighbor of Mr. Biggs told the blacksmith he has heard tales of golden eggs found up at the Biggs' place. With talk of magic plants and golden eggs, we may be headed for another Salem!

Sheriff Omelette Swenson, known locally as Omelette the Dane, would not comment on any of the rumors, but said he would be glad when this case was over.

Anyone having information related to this case should contact the sheriff immediately.

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Mrs. Bean has written a journal. It comes from the period just before and after Jackie's arrest. Read carefully, and prepare your character's role from this information. This journal is private and is for Mrs. Bean only!

Mrs. Bean's Journal:

October 3

My only child, Jackie, gave me this new journal for my birthday. This is my very first journal entry. I hope writing in it will be fun.

Jackie and I live alone on a small farm. Mr. Bean died while serving in the Navy. Times have been hard lately, especially since I needed a new kidney, and our last crop was tiny. We have enough food on the table, but I haven't been able to give Jackie everything I would like him to have. For example, our TV broke during the summer, and we haven't been able to afford a new one.

My kid is smart, that's for sure! Jackie said we should sell Bessie, our milk cow, and use the money for a new TV. We could always buy milk at the store. Bessie is a special cow, and I will be sad to see her go, but I agreed with Jackie's idea.

October 4

Today Jackie went to town with Bessie and came back very excited! I thought there must have been someone in the village willing to pay a lot for that old cow. I asked how much we made, and Jackie showed me five beans. Beans! Can you imagine? Jackie said the beans were magic. I got so mad at Jackie and the man who did this that I threw those beans right out the window. Who ever heard of magic beans?

October 6

Jackie was late getting out of bed this morning. Jackie wasn't in bed, and the window was wide open. I looked out the window and saw a gigantic beanstalk. I think Jackie must have climbed up it. I am very worried.

It's later now, journal. Jackie came home looking scared early this afternoon. Almost as soon as Jackie arrived, the police came and arrested my poor child! They say my innocent baby stole a hen that lays golden eggs. I had never heard of such a thing. I don't believe them. Jackie's a good kid. The child might get in a little trouble now and then, but would never steal anything. I don't know what happened to that man's hen, but Jackie didn't steal her.

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Student Handout 6-12

Jackie Bean has written a journal. It comes from the period just before the arrest. Read carefully, and prepare your character's role from this information. This journal is private and is for Jackie Bean only!

Jackie Bean's Journal:

October 4
Dear journal,

I am SO MAD at that giant man. I took our cow Bessie to town this morning, but no one wanted to buy her. I REALLY wanted a new TV, so I was kind of upset. On the way home, this really tall guy started talking to me. He seemed very nice, and told me what a great cow Bessie was. He got real quiet and said he had a special deal for me, since I seemed like such a good kid. He said he'd trade me five magic beans for Bessie. He made them sound SO good that I made the trade. Boy, was I dumb.

After Mom threw the beans away, I was even madder. Because that jerk ripped me off, we'll never have a TV. We might not be able to afford milk, either. I thought mediation would help, but we just couldn't agree. Now I'd like to get back at him.

October 6
You won't believe what I saw! I had to come down really fast to write this stuff down, but I'm going back. Those magic beans grew into a giant beanstalk! I just had to climb up it to see what was at the top. I climbed up into the clouds, and I got this weird feeling in my stomach. Suddenly, I looked out and I was somewhere else! I could see a ranch, and the giant man who took Bessie was working on it. I saw Bessie, too, with a whole herd of other cows. Then I saw the giant man go into a henhouse and come out with GOLD eggs! I climbed back down and ran home so he wouldn't see me.

I know how I could get back at that guy. He told me those beans were worth a fortune, and all they really did was grow in a strange way. It's almost like he stole Bessie from me and Mom. If I took one of those chickens that lay gold eggs, it would make up for him lying and ripping me off. We could get a new TV and even a new irrigation system for the farm. He's so rich he'd never even miss it.

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Mr. Biggs has written a journal. It comes from the period just before and after Jackie's arrest. Read carefully, and prepare your character's role from this information. This journal is private and is for Mr. Biggs only!

Mr. Biggs' Journal

October 6

Today I lost a fortune! I was down in town yesterday, buying some supplies. On the road, I saw a young person crying, and holding on to a cow. She was a very nice, pretty cow of a very rare breed. I talked to the kid, whose name was Jackie, and who was very trusting. I know a chance for a deal when I see one! I offered the kid some beans that are pretty unusual, but not worth nearly as much as the cow. I felt a little bit bad for not offering more, but business is business! Anyway, it cheered Jackie up and I thought the kid would have fun with the magic beanstalk and maybe even make some money from the beans it produces.

I was wrong, though. Mrs. Bean turned out to be very upset when she found out what happened, and insisted that Jackie and I go to mediation that very day. Our mediator was good, but we never managed to find a win-win solution.

This morning I got home and took care of the chickens and this nice new cow. The next thing I know, there's a commotion in the henhouse. I ran over there and saw Jackie running out of the henhouse and to the beanstalk. I chased and yelled at that rotten kid, but Jackie got away. I looked inside the henhouse, and one of my best chickens was missing. She was there just a little while before, so I know Jackie took her! I'm going to call the police.

October 7

The police arrested that young criminal yesterday. They say that they found mud on Jackie's shoes that matches the mud on my ranch, and feathers on Jackie's sweater that match my hens' feathers. When they went in the Bean's house, they saw that Jackie had written about stealing my chickens in a journal. This proves that Jackie did it! The police say I can press charges if I want.

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Camilla Hen has written a journal. It comes from the day just after Jackie's arrest. Read carefully, and prepare your character's role from this information. This journal is private and is for Camilla Hen only!

Camilla's Journal:

October 7

This has been an exciting week in the henhouse! First, there was a big commotion yesterday, when that kid kidnapped one of us. Since then, the police have been here asking all of us questions about what we saw. The police showed us a picture of the person they arrested, Jackie Bean, and I know Jackie is the same person I saw in the henhouse yesterday.

The name of the kidnapped chicken is Henrietta. I know Jackie took her, because I saw it with my own eyes! The police said that I should try to remember the exact details of what I saw, so I'm writing them here. The three of us, Henrietta, Juanita, and I, were all roosting in the henhouse, laying solid gold eggs, as we always do. All of a sudden, that young thief, Jackie, came rushing in, all out of breath. The little punk looked mean and said something about getting back at Mr. Biggs. I saw Jackie pick up Henrietta. Then I heard Mr. Biggs' yelling and coming this way. I turned to look at Mr. Biggs, and when I turned around, the kid and Henrietta were gone! We are a very rare breed of chicken, and once we leave Mr. Biggs' ranch, we can never lay golden eggs again. That means that even if Jackie returns Henrietta, she wouldn't make Mr. Biggs money anymore. We miss Henrietta, and Mr. Biggs will miss the money. That horrible person should be punished!

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Juanita Hen has written a journal. It comes from the day just after Jackie's arrest. Read carefully, and prepare your character's role from this information. This journal is private and is for Juanita Hen only!

Juanita's Journal:

October 7

Everyone on the ranch is talking about Henrietta's disappearance. I was there, so I know what happened. I'm going to write what happened yesterday in here so I can remember everything.

Henrietta's problem is that she is just plain featherbrained. She's far too flighty to be a proper chicken. She tries to escape from the henhouse now and then. Yesterday, a scared-looking little kid came into the henhouse. The police showed us a picture of Jackie Bean, the person they arrested, and I'm sure Jackie was the person who was here. It's true that the child picked Henrietta up while in the henhouse, but the poor thing looked more curious than anything. I think I saw Jackie set her down, but I'm not sure. Then I heard Mr. Biggs' voice and turned to look at him. Then Jackie turned chicken and ran off. I think that's when Henrietta saw her chance and flew the coop.

It's silly to think Jackie took Henrietta. How could that little kid climb down the beanstalk carrying that big bird? Jackie may have been poking a nose where it didn't belong, but the child didn't steal anything.

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Student Handout 6-16

JUROR CARDS

Juror #1

You are Chris Abbott. You are a 50-year-old dairy farmer who lives down the road from Jackie and Mrs. Bean. You are fairly rich and respected in your community. You and your spouse don't have any children. You don't know Jackie, but you knew Mr. Bean before he died. You didn't think much him. He always seemed to be day-dreaming. You offered him a job once because you felt sorry for his family. You have served on many juries over the years.

Juror #2

You are Pat Bennett. You are a 22-year-old single school teacher. You are new to the village and don't know many people yet, but you have heard two of the other teachers talking about their students. One of the teachers was very surprised to hear that Jackie was arrested. You overheard her say, "I had Jackie in my class two years ago. Jackie was a very kind and intelligent young person. I wish all my students were like that. Jackie was always trying to help Mrs. Bean, and got very high marks in my class." You have never served on a jury.

Juror #3

You are Eggamemnon Carter. You are a 40-year-old single shopkeeper in the village. You know Jackie and Mrs. Bean and you are sorry to see Jackie in trouble. Jackie comes into your shop to buy food. Sometimes Jackie asks you to wait for the money. Jackie seems like an honest kid to you. Mrs. Bean always pays the bill. Sometimes she sews for you in exchange for the food. She is a pretty lady and you have often asked her out, but she always says she has to go home to take care of Jackie. You don't have any children. You were on a jury once.

Juror #4

You are Emilio Cruz. You are the 70-year-old local minister. You don't know Jackie or Mrs. Bean, but you do know that they are very poor because they have always received food baskets at Thanksgiving and Christmas from members of your church. You know that Jackie and Mrs. Bean have never come to church in the three years you have lived in the village with your wife. Your eight children are all grown and have moved to other parts of the country. You have served on many juries in town and you think that you have always been a fair juror.

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Juror #5

You are Sam Ford. You are a 38-year-old local carpenter. You are married and have two children. One of them is a boy around Jackie's age. You know they are in the same class at school and that the children used to play together. You once thought you saw Jackie hanging around with some of the town kids who were always in trouble with the sheriff. You have told your spouse and warned your son about hanging around with such trouble-makers. You have never been on a jury before.

Juror #6

You are Frankie Hall. You are a 30-year-old local baker. You won a lawsuit against a person who ran over you with his milk wagon. The court awarded you a lot of money. You decided to move to this village and buy a business. You have never been married but you are looking for a spouse now that you have your own business. You don't know Jackie, but you were told by the former owner of the bakery that he once had Jackie arrested because he thought Jackie stole a loaf of bread from the bakery. The sheriff went to Jackie's house, but he couldn't find any witnesses or evidence of Jackie's "crime." When the sheriff saw how upset Jackie's mother was, he didn't have the heart to arrest Jackie. You have never served on a jury.

Juror #7

You are 65-year-old J.P. Morgan. You are the wealthiest person in the village. You have a large farm and employ many workers. Your wife and two sons help you run the farm. You are the person who takes the food baskets to Jackie's house for the holidays. You have never met Jackie, who doesn't seem to be home very often. You know Jackie's mother is always thankful when she receives the baskets. You have served on many juries and feel it is your civic duty.

Juror #8

You are 53-year-old Kit Nelson. You own the village tavern. You are married and have one son who is the hangman for all the local towns and villages. You knew Jackie's father very well. You didn't like him very much because you thought he cheated at cards. You have often said that the apple doesn't fall far from the tree. and think that Jackie is probably a lot like Mr. Bean was. You have always tried to avoid jury duty but this time the sheriff said you had to serve.

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Juror #9

You are Nel Pierce. You are the 53-year-old wife of Jackie's teacher. You have 20-year-old twin daughters who are maids at Mr. Morgan's house. They help support you, since you were the victim of a crime and can no longer work. A robber shot you on your way to work. At the trial, the accused robber was found not guilty. You never met Jackie. Your husband thinks Jackie is very smart and cunning. Your husband has been angry with Jackie lately because "all that kid talks about is buying a new T.V." The teacher wishes Jackie would not be such a dreamer. You have only served as a juror once.

Juror #10

You are 26-year-old Taylor Smith. You are married and have three children, ages 2, 4, and 6. You are the local police officer. You know all the kids in town. The sheriff told you about the incident in which the baker wanted to have Jackie arrested for stealing a loaf of bread. You have never had any trouble from Jackie. You have never served on a jury.

Juror #11

You are Liz O'Brien. You are a 22-year-old traveling salesperson. You are single and stay with your parents when you are not on the road. You don't get home too often and you don't know Jackie or Mrs. Bean. You do eat your dinner at the local tavern and you have heard the villagers talking about the arrest. The villagers seem to be evenly divided about how they feel about Jackie. You were on one jury before. You voted to give the accused murderer the death penalty.

Juror #12

You are Silvia Gonzalez. You are the 60-year-old village seamstress. You know Jackie's mother sometimes sews for people in the village. She charges less than you do for her work. You have never been married. You are very superstitious and are quite concerned about the tale of the beanstalk. You are sure something evil is going to happen with all this talk of giants and hens that lay golden eggs. You have never been on a jury, but are eager to hear this case.

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The Criminal Trial—*The State v. Bean*

- **The Clerk** says, "Hear ye, hear ye! All rise for the Honorable _____."
- **The Judge** says, "Today we will hear the case of *The State v. Bean.* Mr. Bean has been charged with theft and trespassing. Will the prosecution state what it intends to prove?"
- **The Prosecutor** describes the crime and tells what the state intends to prove.
- **The Defense Attorney** tells what the evidence will show from the defendant's point of view.
- **The Judge** says, "Is the prosecution ready to call its witnesses?"
- **The Prosecutor** calls state's witnesses and presents evidence against the defendant. **The Prosecutor** may call:
  - Mr. Biggs
  - Camilla Hen
- **The Defense** Attorney may then ask questions to cast doubt on the statements given.
- **The Judge** says, "Is the defense ready to call its witnesses?"
- **The Defense Attorney** calls witnesses to discredit the State's case. **The Defense Attorney** may call
  - Jackie Bean
  - Mrs. Bean
  - Juanita Hen
- **The Prosecutor** may then ask questions to cast doubt on the statements given.
- **The Judge** says, "If there are no further witnesses, does the prosecution have anything to add?"
- **The Prosecutor** tells what the State feels it has proved.
- **The Judge** says, "Does the defense have anything to add?
- **The Defense** Attorney tells the story from his or her client's point of view.

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- **The Judge** reads the following **Instructions to the Jury**:

  "Ladies and Gentlemen of the Jury: Now that you have heard all of the evidence and arguments presented by the attorneys, it is my job to tell you about the law. First of all, Jackie Bean is innocent until proven guilty. The defendant does not have to prove innocence. You must look upon Jackie Bean as an innocent person unless, after you discuss the testimony and evidence, all of you decide that the defendant is guilty beyond a reasonable doubt. This means you have no doubt in your mind that Jackie Bean is guilty.

  "If you have doubt and there is reason for that doubt, you must find Jackie Bean not guilty. The decision must be unanimous for a verdict of guilty.

  "Jackie Bean is charged with theft — that is taking something that belongs to another — and the crime of trespassing — that is being on another's property without permission. Take each charge separately. Review the evidence and vote on each of the charges after you have deliberated. Begin by electing a foreman, and then keep an open mind as you listen to your fellow jurors."

- **The Jury** meets to decide the case. Everyone says whether s/he thinks the charges have been proved beyond a reasonable doubt.
- **The Foreman of the Jury** announces the verdict by saying, "We find Jackie Bean to be ("guilty" or "not guilty") of the charge of criminal trespass and ("guilty" or "not guilty") of the charge of theft."
- **The Judge** will determine the sentence, if the defendant is found guilty. (**The Judge** may wish to confer with others about a fair sentence.)

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Student Handout 6-18

U. S. Supreme Court

What do you think would happen if Congress passed, and the President signed, a law that said the only way states could get federal money was to make it necessary for all licensed drivers to be members of a church? Congress believed that religious people would be safer drivers. People who didn't belong to a church and who would be arrested for driving without a license would be very angry! They would take their case to an appeals court — maybe even the **Supreme Court**. The U.S. Supreme Court is the highest court in the land. The Supreme Court would use its very special power called **judicial review**, which means the Supreme Court can say that the Constitution does not allow the government to do something. If the Supreme Court finds that a law violates the rights of citizens, the law is unconstitutional and is no longer law.

The Justices

The judges on the Supreme Court are called **justices**. The head of the Supreme Court is called the **Chief Justice**. The justices are **appointed** to the court, not elected. These justices are nominated by the President and must be approved by a **majority** of the **Senate**. Once they are approved, they can remain on the Supreme Court for **life**. They "hold their offices during good behavior," but can be impeached, tried, and removed from office just like the President or a member of Congress.

Justices don't have to worry about political parties changing. If a justice is appointed by a Democratic President and approved by the Senate and then a Republican President and new Senate is elected, the Justice can not be fired or asked to resign. Since justices hear cases that often deal with issues that people have strong feelings about, they may sometimes make unpopular decisions. They can't lose their job for interpreting the law even if many people disagree with their decision.

Currently, there are nine Supreme Court Justices. The **Chief Justice** is William Rehnquist. Two of the nine are women — Sandra Day O'Connor and Ruth Bader Ginsburg. One is an African American — Clarence Thomas. The Supreme Court Justices are all lawyers, even though this is not a requirement set down in the Constitution.

How the Supreme Court Works

Each year, thousands of cases are appealed to the Supreme Court by people who want the decision in their case reviewed. The justices vote on which cases to review — usually fewer than 100 each year.

Once they accept a case, the justices read the Constitution, laws, previous cases, and other information to help make their decision. Then, they listen to the arguments and question the lawyers for the **petitioners** (who asked for the case to be heard) and the **respondents** (who must defend the existing decision). After the arguments, the Supreme Court gathers to discuss and vote on the issue of law involved. Cases are decided by a majority vote. One of the justices will be assigned to write the **majority opinion**. Any justice who disagrees with the majority opinion may choose to write a **dissenting (disagreeing) opinion**. The majority opinion becomes the law of the United States.

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Student Handout 6-19

U.S. Supreme Court

Using Handout 18 complete the study sheet. Write the correct term in the blank. Do not use a word more than once. Choose one of the words or phrases below for each blank.

appointed	Chief Justice	dissenting	Ginsburg
judicial review	life	majority	nine
petitioner	Rehnquist	respondent	Senate
Supreme Court	Thomas		

1. The highest court in the United States is the _____.
2. The power called _____ gives the Supreme Court the power to say a law is unconstitutional and is not enforceable.
3. The head of the Supreme Court is known as the _____.
4. The name of the current Chief Justice is _____.
5. There are _____ justices on the Supreme Court.
6. Justices get their jobs by being appointed by the President and approved by the United States _____.
7. The term of office is _____ and a justice may lose his/her position only through impeachment.
8. People bringing their cases to the Supreme Court are called _____.
9. All cases are decided by a _____ vote and the opinion of the Court is written.
10. A justice who disagrees with the decision can write a(n) _____ opinion.

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Student Handout 6-20

TINKER V. DES MOINES

My name is Mary Beth Tinker. I'm a grown woman now, but I'll never forget what my brother John and I and a few of our friends did in 1965 when I was just a teenager. We were very angry and upset when the United States sent the army to fight in Vietnam. So were our parents. A lot of Americans died in the war. So did a lot of Vietnamese.

Our parents wanted to let people know that they were against the war. They and many other people spent a lot of time peacefully marching and carrying signs that said "Get out of Vietnam; stop the killing."

Many other people were angry with my parents and the others who marched. They were in favor of the war and wanted to show the world that they supported all of the Americans fighting in Vietnam. Sometimes the marches ended in fights and people got hurt.

We wanted to let the students at our school know how we felt about the war. We wanted to let people know we were against the fighting and supported a truce (cease fire). We didn't want to cause any fights. We decided that wearing black armbands with a peace symbol on them to school would tell students how we felt.

The school officials found out about our plan and passed a rule that said no one could wear armbands protesting the war. They were afraid that there would be a lot of fights and that students would get hurt. The school also wanted to keep the students' minds on their school work.

We decided to wear the armbands anyway. We were suspended and sent home until we stopped wearing the arm bands. We had broken the school rule.

My parents were very upset. They believed our right to speak against the war was protected by the First Amendment to the Constitution. The first time my parents took the case to court we lost. The court agreed with the school. They said the school had a right to pass this rule to keep discipline in the school.

My parents, however, didn't give up. Finally the Supreme Court agreed to take the case.

WHAT DO YOU KNOW?

In pairs answer the following questions:

1. What were the Tinkers upset about?
2. Why did Mary Beth and John wear black armbands to school?
3. Why were they suspended?
4. Why did Mary Beth and John's parents go to court?
5. What did the court say the first time?
6. Why did Mary Beth and John's parents ask the Supreme Court to take the case?

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Student Handout 6-21

WHAT DO YOU THINK?

Here are some reasons the Supreme Court Justices used to support their opinions on the case. There are nine Supreme Court Justices. They did not all agree. Look at the arguments (reasons). Decide which arguments you agree with. Put a plus (+) in front of those arguments.

1. The Constitution says that the government can't stop people from speaking out just because they disagree with the government. Students in schools should have the same right as adults to say what they think about what the government does.

2. Students should be able to express themselves as long as there is discipline in the school and classes aren't disturbed. The armbands did not keep the students from doing their work.

3. Parents are the most responsible for their children's behavior. The parents thought what their children did was right. Principals don't have complete power over their students.

4. People do not have a constitutional right to say whatever they want to say, wherever and whenever they want to say it.

5. The armbands kept many students from thinking about their studies. It is very important that students pay attention to their school work, not politics.

6. School principals should have as much power as possible to keep discipline and order in their schools. Principals should not take chances. They should try to prevent fights before they start.

Did Mary Beth Tinker and her brother, John, have a right to wear the black armbands because the Bill of Rights says we have the right to free speech? Or, in this case was it OK for the school to pass that rule against wearing armbands to prevent fights that might happen?

The Supreme Court justicies did not all agree. Your teacher will tell you what happened. Do you think the majority of the Supreme Court made a wise decision?

Now, look back at **Student Handout 1-4** (Issues Interview), when you interviewed voters about issues they consider important. Do you think students in your school might fight about any of these issues? Are there any other issues that cause fights? The next unit will ask you, not the principal or Supreme Court, to help make your school or community a better and safer place to be.

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Unit VII

Taking Action Together: Serving and Learning

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Unit VII
Taking Action Together:
Serving and Learning

Introduction

This unit introduces service learning projects as another way to address problems. It may take the remainder of the semester to complete. Service learning is a method by which young people learn and develop through active participation in a thoughtfully organized service experience that meets actual needs; provides structured time to think, listen, speak and write about students' roles in the activity; provides opportunities to use newly acquired skills and knowledge in a real life situation; and helps foster the development of a sense of caring for others. (Definition adapted from *Standards of Quality for School-Based Service Learning*, May 1993, by the Alliance for Service Learning in Education Reform Standards Committee.)

Students will use the **GO FOR IT** Handouts to select, conduct, and evaluate their projects. They should also use the results of the poll they took in Unit IV to determine the in-school problem they want to address.

Since this is a major part of the curriculum, you may wish to review the objectives of a service learning project with the students.

Objectives

Students will:

- explain why it is important to gather information about a problem before attempting to solve it
- identify causes and effects of a school/community safety problem
- determine project options and select the option that best addresses the problem
- work cooperatively with others to develop and carry out a plan of action
- evaluate the effectiveness of the project
- identify the benefits of, and participate in, collective action for communities
- individually and cooperatively participate in their schools by formulating and carrying out constructive responses to social problems which promote the common good

Resources

Student Handouts

Student Handout 7-1 – List of Suggested School Service Learning Projects
Student Handout 7-2 – **GO FOR IT** Steps
Student Handout 7-3 – Gathering Information
Student Handout 7-4 – Options
Student Handout 7-5 – Finding the Best Options
Student Handout 7-6 – Obstacles and Resources
Student Handout 7-7 – Into Action
Student Handout 7-8 – Service Learning Survey
Student Handout 4-5 – Poll Totals

Materials Needed

Map of school problems from Unit IV
I'm a VOICE: Ask Me! Buttons

Suggested Resource Persons

Attorney

Note: Student Handouts 7-2 through 7-7 are adapted from City Youth: Education and Community Action, *©1995 Constitutional Rights Foundation.*

Lesson One: Service Learning Project

Objective

Students will apply the skills they have learned to create a solution to a school safety problem.

Resources

Student Handout 7-1 – List of Suggested School Service Learning Projects
Student Handout 7-2 – **GO FOR IT** Steps
Student Handout 7-3 – Gathering Information
Student Handout 7-4 – Options
Student Handout 7-5 – Finding the Best Options
Student Handout 7-6 – Obstacles and Resources
Student Handout 7-7 – Into Action
Poll Totals (Student Handout 4-5)
Map of School Problems (Unit IV)

Procedures

1. Explain to the students that they will begin a "**school service learning project**." Students will select the project in conjunction with you and your school administration. The project can continue throughout the school year.

2. Review and discuss **Student Handout 7-1** so that students can become familiar with various types of projects completed by other classes.

3. Look at your map of school problems from Unit IV. Then, as a class, select the three top safety problems at school. Explain that students should be thinking about a "doable" project to address these problems. A simple project can make a difference.

Note: Keeping the administration informed can help to garner support for a worthwhile project.

4. Have students read and review the **GO FOR IT** steps on **Student Handout 7-2**. Explain that these steps will be used to select, conduct, and evaluate their project.

5. Once the main school safety problems from the poll have been identified, divide students into small groups and have them complete **Student Handout 7-3** for one problem. Responses should be shared. Using the chalkboard, have each group state the problem they selected and sketch what the problem looks like (this may be a task for an artistic student). Have the students consider the causes of the problem. List responses on the chalkboard or chart paper. Students can select one to four causes that they see as being most responsible for the problem. Have students indicate reasons for their choices. Repeat the process for the section under "Effects." (See example on the next page.)

Example:

Problem	Causes	Effects
Pushing, bullying, fighting on playground before school.	• Older students play football and other rough games. • Younger students run, push, and wrestle. • Not enough supervisors.	• Younger students are often injured. • Students don't get along well. • Parents are unhappy. • Teachers are frustrated.

6. After reviewing the problem, causes, and effects, have students consider what other information they need before addressing the problem. Refer to the poll. Where does the problem occur? When does the problem occur?

7. After discussion, refer students to **Student Handout 7-4**. Have students work in groups of four to determine project ideas. Each group should attempt to develop three "doable" responses to the problem. For exapmle, students could:
   - set one side of the playground for younger students use;
   - form groups to prepare organized games for the students who come early in the morning;
   - monitor the younger students playing in the playground; or
   - act as peer mediators to assist teachers with playground duty.

8. Have groups list options on a large piece of chart paper or the chalkboard. If groups have similar options, use check marks to indicate the number of groups suggesting the option. Can students combine similar options? Have students complete **Student Handout 7-5**. Students will need to reach consensus or use a majority vote for the top three project ideas. Next, they should consider the pros and cons of each.

9. Once an option or options is/are agreed upon, you may reformulate groups based on student interests. Groups should use **Student Handout 7-6** to help them consider obstacles to and resources for a solution. Ask students to write about how they can contribute to solving the problem.

10. The small groups should select team leaders, a recorder, a liaison to communicate with other groups, and a time manager to keep track of target dates and update **Student Handout 7-7** as needed.

Lesson Two: Reflection and Evaluation

Objective

Students will reflect upon their completed projects in preparation for their presentation.

Resources

Student Handout 7-8 — Service Learning Survey

Procedures

1. Have students fill out **Student Handout 7-8** (Service Learning Survey) and discuss responses as a class.

2. Writing Assignment: Have students write to a state or local legislator about their completed project. What problem did the students address, and how have they made a difference? If the legislator responds, he or she might make an excellent audience for the students' presentation.

Lesson Three: The Final Act – A Showcase

Objectives

Students will
- work cooperatively to present their service learning project to others.
- evaluate the effectiveness of their project.

Resources

Any items necessary to present project (posters, etc.)
Audience (resource person, principal, parents, other students, etc.)
Student Handout 7-8 – Service Learning Survey

Teacher Background

This activity should be a celebration. Students will receive buttons (I'm A VOICE; Ask Me!) indicating completion of the program. A representative of CRFC, the ABA, and/or the resource people with whom you have worked would like to be present to acknowledge the good work the students have done.

When students have completed the curriculum and the service learning project, the class should showcase the program by making a presentation to groups such as:

- another class
- other teachers and administrators
- a parent and/or community group
- representatives of CRFC
- resource persons
- a combination of any of the above

1. Brainstorm presentation ideas. What has the class done to address the problem of violence? For example, they:

   - presented a mock trial to teach others about the court system
   - acted as peer mediators
   - taught others how to mediate
   - enacted one of the other projects described in **Student Handout 7-1**

2. Design the presentation. Students may refer to their handouts to answer the following questions:

   - What problem did the class address?
   - How did the class decide to select the problem?
   - Why did the class choose that problem?
   - What did the class do?
   - What did they learn?
   - What did the project accomplish?
   - Who should be invited to hear the project?

3. Present your project! Have a resource person, principal, or other interested person present to distribute buttons.

Student Handout 7-1

LIST OF SUGGESTED SCHOOL SERVICE LEARNING PROJECTS

- Set up a peer mediation program to handle problems that occur among classmates.
- Train other students to use conflict mediation skills.
- Plan and perform puppet shows, skits, raps, plays, or videos for younger children encouraging them to settle problems peacefully. For example, use the "Jacky and Mr. Biggs" scenario or dress as folk heroes to tell a story with a message.
- Write original fairy tales with a nonviolence message and arrange to read them to younger students. Donate the stories to a classroom library.
- Design posters and/or banners that emphasize school pride and peace.
- Help younger students with their school work.
- Organize a writing, music, or art contest encouraging a safe school environment.
- Plan an assembly, inviting local police officers to hold discussions on gangs or drugs.
- Design a mentoring program or "Activity Leaders" to supervise younger children on the playground before school, during recess, or during lunch time. You could plan non-violent games and activities to play. You could research and share various multicultural games and sporting events.
- Form a "Clean Team" to check for graffiti in and around the school building.
- Organize a book collection drive to provide classroom libraries with books.
- Become a "pen-pal" to a younger student.
- Design a reading/story-telling program for the morning breakfast period.
- Design and paint a school mural with a peaceful theme.
- Prepare weekly "public service" safety messages to announce over the intercom system.
- Organize an international festival to get a better understanding of different people and cultures.
- Assist younger students with Science Fair, History Fair, Reading Fair, or writing projects.
- Plan a "Youth Service Day" where students can talk about their projects to others.

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Student Handout 7-2

Just as we learned the five Conflict Mediation Steps, we will learn the seven steps that can be followed when designing a Service Learning Project. These are known as the GO FOR IT steps.

The **GO FOR IT** Steps

G **Gather Information...**Before you address a problem, you need to understand it. Find out what causes the problem, how it affects the school/community, and what is already being done to solve the problem.

How to do it: Research, gather statistics, check with experts, learn about policies, conduct surveys.

O **Options...**Consider many different project ideas before you decide on one. Many times the best projects are created from a combination of several ideas.

How to do it: Brainstorm, get ideas from other students, adults, community members.

F **Find the best option...**Decide which ideas have the best potential for success. Which ideas are most realistic? Which ideas do you have the time and resources to complete?

How to do it: Make a pros-and-cons list, rank your ideas, discuss, vote.

O **Obstacles...**Before you put your plan into action, think about what might get in your way. What problems might your team have in completing your project? Who might oppose your plan? What materials and supplies will you need?

How to do it: Make predictions, brainstorm, discuss, make a list.

R **Resources...**You can think about Obstacles and Resources at the same time. Think about what people, businesses, information, and supplies will help you overcome obstacles. What will help your team be successful?

I **Into Action...**Put your plan Into Action! Think about all the tasks that will need to be done. Assign tasks to each team member. Decide when the project will be completed.

How to do it: Assign jobs, use teamwork, use resources.

T **Take a Look at What You Did...**After you complete your project, think about your success. Was your project effective? What did you learn? What could you have done differently?

How to do it: Discuss, reflect, write about your project, make a presentation about your project to others.

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Student Handout 7-3

GO FOR IT

GATHERING INFORMATION

Problem: Violence in Schools

Directions:
Sketch what the problem looks like on the back of the page. Look at the map of school problems in teams. Where does the problem occur? When? What does it look like? List the major causes and the most serious effects of the problem.

THE PROBLEM

_____

_____

Where does the problem usually occur?

_____

When does the problem usually occur?

_____

Major Causes:	Most Serious Effects:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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GO FOR IT

O P T I O N S

Directions:
Generate project options that would address the problem you have selected. Using brainstorming, list as many options as your group can. You can also look at **Student Handout 1** for suggestions. Remember to be non-judgmental. After all of the ideas are listed, consider which ones might address the causes and effects of the problem. Place a check next to those that look like they could be completed successfully.

LIST:

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GO FOR IT

FINDING THE BEST OPTIONS

Directions:
Here are some questions to consider as you complete the handout:

1. Is there more than one option that seems to address the problem?
2. Is there a way to combine some of the ideas generated to make the project more successful?
3. Which options are cost effective?
4. Can the project be completed during the school year?
5. Do you have the resources to complete the project? If not, can you obtain these resources?
6. How will you know if the project was successful? Consider ways you can use to measure the success of your project.

Step 1 — LIST THE TOP THREE CHOICES OF YOUR GROUP

1.

2.

3.

Step 2 — PROS AND CONS

PROJECT IDEA	**PROS** (Good Things)	**CONS** (Problems)

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Step 3 — CHOOSE A PROJECT. Select ONE Project. Describe your project in two or three sentences.

Step 4 — MEASURING SUCCESS. Describe how you will evaluate your project's success.

Step 5 — CHECK IT OUT. Get your teacher's approval for your project.

_____

Teacher Signature

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Student Handout 7-6

GO FOR IT

OBSTACLES AND RESOURCES

Directions:
Before your team springs into action, take a few minutes to plan ahead. Think about the Obstacles that might get in your way and the Resources that can help you avoid obstacles.

Obstacles	Resources

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GO FOR IT

INTO ACTION

Directions:
Getting any project to work takes planning and preparation. Try to think of all the tasks that need to be done. Try to list them on the chart according to what needs to be done first. Use the back of this paper if you need more space to write details.

Think about: What tasks need to be completed?
Who will work on each task?
What resources are needed to complete each task?
When must each task be completed?
Who will check to make sure all of the tasks are getting done?

Task	Person	Resources Needed	Target Date	Done √

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Student Handout 7-8

SERVICE LEARNING SURVEY

School _____
Homeroom _____
Teacher _____
Project _____
Date _____

1. What was the purpose of the project?

2. Describe what the class did. What did you do?

3. What good things happened as a result of this project?

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4. What ideas do you have that might make the project better?

5. What did you learn from this project or become better at doing?

6. What would you tell a friend about becoming involved in this project?

7. Draw a picture about your project on the other side of this page.

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Appendix

Sample Assessment Tools

Table of Contents

A-1: Cooperative Learning Individual Assessment Form

A-2: How Did We Do as a Group?

A-3: How Did I Do in My Group?

A-4: Class Discussion Self-Assessment

A-5: How Was Our Mediation?

A-6: Special Event Form

A-1: COOPERATIVE LEARNING INDIVIDUAL ASSESSMENT FORM

Date_____

Assign each student in the group a LETTER and ROLE. Rate each student using the following scale: 3—Always; 2—Almost Always; 1—Sometimes; 0—Never.

Name: **Role:**

A_____ _____

B_____ _____

C_____ _____

D_____ _____

E_____ _____

	Carried out assigned role	Explained ideas clearly	Listened to and was supportive of others	Encouraged problem-solving	Contributed to group effort	Total	Comments
A							
B							
C							
D							
E							

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A-2: How Did We Do as a Group?

Date: _____

Name	Job
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GROUP ASSESSMENT-As a group, rate your group by circling the correct answer:
YES!=really agree; yes=kind of agree; no=kind of disagree; NO!=really disagree

SKILL	DID WE DO IT?				COMMENTS
We used time productively.	YES!	yes	no	NO!	
We all participated.	YES!	yes	no	NO!	
We acted respectfully toward all group members.	YES!	yes	no	NO!	
We communicated effectively.	YES!	yes	no	NO!	
We gave helpful comments.	YES!	yes	no	NO!	
We finished our assignment	YES!	yes	no	NO!	

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A-3: How Did I Do in My Group?

NAME: _____ Date: _____

Rate yourself by circling the correct answer:
YES!=really agree; yes=kind of agree; no=kind of disagree; NO!=really disagree

1. I enjoyed working in my group.	YES!	yes	no	NO!
2. I was willing to try different jobs in my group.	YES!	yes	no	NO!
3. I added my ideas to the group discussion.	YES!	yes	no	NO!
4. I was a good listener.	YES!	yes	no	NO!
5. I was organized.	YES!	yes	no	NO!
6. I encouraged other people to talk.	YES!	yes	no	NO!
7. I respected the opinions of others in my group.	YES!	yes	no	NO!
8. I did my tasks well.	YES!	yes	no	NO!

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A-4: Class Discussion Self-Assessment

NAME_____ DATE _____

Evaluate your work in class discussion by circling the correct answer: YES!=really agree; yes=kind of agree; no=kind of disagree; NO!= really disagree

I stated my ideas clearly.	YES!	yes	no	NO!
I supported my ideas with facts.	YES!	yes	no	NO!
I added important questions, ideas, information to the discussion.	YES!	yes	no	NO!
I treated others with respect.	YES!	yes	no	NO!
I listened to what others had to say.	YES!	yes	no	NO!
I learned something from the discussion.	YES!	yes	no	NO!

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A-5: How Was Our Mediation?

(Circle one) I was a Disputant
Mediator

Rate your mediation by circling the correct answer:

YES!=really agree; yes=kind of agree; no=kind of disagree; NO!=really disagree

If you have anything to add about your answer, write it in the "Comments" section below.

1. Both sides got to tell their side of the story.	YES!	yes	no	NO!
2. Everyone listened to both sides.	YES!	yes	no	NO!
3. Everyone was treated with respect.	YES!	yes	no	NO!
4. Everyone was trustworthy.	YES!	yes	no	NO!
5. We agreed on a win-win solution.	YES!	yes	no	NO!

Comments:

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A-6: Special Event Form

1. List three things you learned today.

2. What was your favorite part?

3. What will you tell your friends about your experience today?

4. What questions do you still have?

5. List five words that describe the person(s) you met today.

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